

MONDAY, FEBRUARY 24, 1997

TENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Al Anderson, Friendship Baptist Church, Columbia, Tennessee.

Representative Sands led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Scroggs; personal reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 940: Rep(s). Boner as prime sponsor(s).

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House Bill No. 941: Rep(s). Boner as prime sponsor(s).

House Bill No. 942: Rep(s). Boner as prime sponsor(s).

**MESSAGE FROM THE SENATE
February 24, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 67; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 67 -- Memorials, Retirement - Captain Paul D. Tackett, by *Williams, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

**ENGROSSED BILLS
February 24, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 316.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 24, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 38 and 39; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
February 24, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 355, 398, 465, 470, 471, 491, 492, 523 and 524; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 24, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 316; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

February 24, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 414, also, House Joint Resolution(s) No(s). 1 and 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 63** -- Memorials, Government Officials - Urges U.S. District Court Judge John T. Nixon to recuse himself from hearing appeals arising from death penalty convictions. by *McKee, *Cole (Dyer), *Phelan, *Gunnels, *Rinks, *Roach, *Buck, *Pinion, *Westmoreland, *Davis R.

Judiciary Committee

***House Joint Resolution No. 64** -- Memorials, Congress - Endorses and supports National Association of Insurance Commissioner of ERISA relative to self-insured and self-funded health care plans; urges Congress to enact such statutory reforms to ERISA. by *Bowers, *Pruitt, *Towns, *Cooper B, *Jones U (Shelby).

Conservation & Environment Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 26, 1997:

House Resolution No. 26 -- Memorials, Personal Occasion - Mr. and Mrs. Stanley Norris, 50th anniversary. by *Roach.

House Resolution No. 27 -- Memorials, Death - William Marshall "Bill" Latham. by *Goins.

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House Joint Resolution No. 65 -- Memorials, Death - Margaret Smith Alexander. by *McDaniel, *Rinks.

House Joint Resolution No. 66 -- Memorials, Death - Keith M. Danley. by *Walley.

House Joint Resolution No. 67 -- Memorials, Sports - Vic King, LaFollette Middle School boys' basketball coach. by *Goins.

House Joint Resolution No. 68 -- Memorials, Professional Achievement - "The News Herald," official newspaper for Donelson-Hermitage area. by *West.

House Joint Resolution No. 69 -- Memorials, Professional Achievement - Jane Etters, National High School Association "Teacher of the Year". by *Jones, S..

House Joint Resolution No. 71 -- Memorials, Retirement - Roberta Shirey. by *Ford S.

House Joint Resolution No. 75 -- Memorials, Sports - 1996 Hendersonville High School football team. by *Stamps.

House Joint Resolution No. 76 -- Memorials, Professional Achievement - Judge James L. Weatherford. by *Fowlkes, *Sands, *White.

House Joint Resolution No. 78 -- Memorials, Public Service - Ronnie McDowell. by *McDonald.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 26, 1997:

Senate Joint Resolution No. 67 -- Memorials, Retirement - Captain Paul D. Tackett. by *Williams, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 32** -- Naming and Designating - "Ranger Dick Huddleston Cedar Forest Lodge," Cedars of Lebanon State Recreational Park. by *Rochelle.

Conservation & Environment Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1409 -- Local Education Agency - Enacts "Protection of Pupil Rights Act of 1997." Amends TCA Title 10, Chapter 7, Part 4; Section 49-1-302 and Title 49, Chapter 6. by *Ritchie, *Pinion, *Stamps, *Bittle, *Wood, *Scroggs, *Sharp, *Dunn, *Walker, *Godsey.

***House Bill No. 1410** -- Agriculture - Revises state checkoff rate for soybean promotion from 1/2 cent per bushel of soybeans to .0025 net market value. Amends TCA Title 43, Chapter 20. by *Phelan, *McKee, *Pinion, *Cole (Dyer).

House Bill No. 1411 -- Criminal Procedure - Prohibits television or video cameras in courtrooms during criminal trials if cameras are to be used for televising or broadcasting trial. by *Ritchie.

***House Bill No. 1412** -- State Employees - Increases state employee and teacher discount on college costs from 25 to 50 percent. Amends TCA 8-50-115 and 49-7-119. by *Ritchie.

***House Bill No. 1413** -- Child Abuse - Creates Class A misdemeanor for child abuse if child is born addicted to alcohol or drugs and woman, while pregnant, consumed alcohol or used illegal drugs and knew or should have known that consumption or use may result in harm to child. Amends TCA Section 39-15-401. by *Pruitt.

House Bill No. 1414 -- Tort Liability - Enacts "Business Premises Safety Act of 1997." Amends TCA Title 28 and Title 66. by *Williams (Williamson), *Phelan, *Rhinehart, *Fowlkes, *Kisber, *Rinks, *Davidson, *Garrett, *McDaniel, *Clabough, *McKee, *Westmoreland, *Hood.

House Bill No. 1415 -- Day Care - Specifies average rate to be paid by department of human services for day care reimbursement in urban and rural counties to be not less than eightieth percentile of most recent market rate study for urban or rural counties, respectively. Amends TCA Title 71, Chapter 1, Part 1 and Title 71, Chapter 3, Part 5. by *Chumney, *DeBerry J, *Turner (Hamilton), *Armstrong, *Pruitt, *Eckles, *Brown, *Odom.

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House Bill No. 1416 -- Children - Eliminates de novo appeal to circuit court with regard to dependency and neglect proceedings conducted by juvenile court. Amends TCA Section 37-1-159. by *Jones, S..

House Bill No. 1417 -- Courts - Allows juvenile, circuit, and chancery courts to confer with one another and to consolidate certain matters before courts for trial before one of judges. Amends TCA Section 37-1-104. by *Jones, S..

House Bill No. 1418 -- Motor Vehicles, Titling and Registration - Provides for issuance of fish and wildlife species license plates to support state wildlife resources fund. Amends TCA Title 55, Chapter 4. by *Bittle.

***House Bill No. 1419** -- Hospitals and Health Care Facilities - Enacts "Patient Safety Act of 1997." Amends TCA Title 68. by *Brown.

***House Bill No. 1420** -- Hospitals and Health Care Facilities - Provides funding to certain hospitals in Davidson and Shelby counties which provide services predominately to indigent persons. Amends TCA Title 12, Chapter 4 and Title 68. by *West.

***House Bill No. 1421** -- Food and Food Products - Places certain requirements on establishments which provide delivery services for food product. Amends TCA Title 68, Chapter 14. by *Kent.

House Bill No. 1422 -- Insurance, Health, Accident - Requires coverage for diabetes outpatient self-management training and education, including medical nutrition therapy to be provided by certified, registered or licensed health care professional with expertise in diabetes when authorized by physician; benefits subject to same annual deductibles or co-insurance for other covered benefits. Amends TCA Title 56, Chapter 7, Part 23. by *Hassell.

House Bill No. 1423 -- Insurance, Health, Accident - Requires coverage for diabetes outpatient self-management training and education, including medical nutrition therapy to be provided by licensed dietitian/nutritionist when authorized by physician; benefits subject to same annual deductibles or co-insurance for other covered benefits. Amends TCA Title 56, Chapter 7, Part 25. by *Hassell.

House Bill No. 1424 -- Adoption - Deletes provisions relative to terminating rights of incarcerated parent or guardian. Amends TCA Title 36, Chapter 1, Part 1. by *Hassell.

House Bill No. 1425 -- Judges and Chancellors - Provides that if charges against judge frivolous or unfounded, matter will be closed and docket will recite investigation and dismissal of groundless complaint. Amends TCA Section 17-5-305. by *Hassell, *Ford S.

House Bill No. 1426 -- Utilities, Utility Districts - Designates as confidential certain customer records and information in possession of municipally owned or operated utilities. Amends TCA Title 7, Chapter 52. by *Boner.

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House Bill No. 1427 -- Telecommunications - Authorizes municipal electric plant to own, acquire, improve, operate, lease, and maintain telecommunications services consistent with Federal Telecommunications Act of 1996. by *Rhinehart, *Kisber, *Phelan.

House Bill No. 1428 -- Education - Authorizes school authorities to suspend student from school and school activities if convicted of misdemeanor, excluding non-moving traffic violation, and student's continued presence in school poses danger to persons or property or disrupts educational process. Amends TCA Title 49, Chapter 6, Part 34. by *Stulce.

House Bill No. 1429 -- Housing - Restricts availability of tax increment financing to housing authority properties actually constructed with such financing and leased to private entity. Amends TCA Section 13-20-205. by *McAfee.

House Bill No. 1430 -- Taxes, Excise - Enacts "Controlled Substance Excise Tax of 1997." Amends TCA Title 67, Chapter 4. by *Burchett.

House Bill No. 1431 -- Drugs - Enacts "Drug Dealer Liability Act of 1997." Amends TCA Title 29, Chapter 34. by *Burchett.

House Bill No. 1432 -- Alcoholic Beverages - Increases from \$250 to \$500 cost bond person claiming alcoholic beverages seized as contraband must post in order to request hearing on such seizure before alcoholic beverage commission. Amends TCA Title 49, Chapter 1, Part 4; Title 57 and Title 68, Chapter 24. by *Wood.

House Bill No. 1433 -- Crime, Victims of - Redefines "viable fetus as victim" to include unborn child at every stage of gestation in utero from conception until live birth. Amends TCA Section 39-13-107 and Section 39-13-214. by *Beavers, *Ritchie, *Stamps, *Curtiss, *McDaniel, *Pinion, *Burchett, *Hargett, *Newton, *Scroggs, *Hassell, *Goins, *Boyer, *Wood, *Sharp, *Dunn, *Walker, *Kerr.

House Bill No. 1434 -- Highway Signs - "American Ex-Prisoners of War Highway," U.S. 70. by *Patton, *Ford S, *Cole (Carter), *Kent, *Davis R, *Gunnels.

House Bill No. 1435 -- Law Enforcement - Authorizes campus security officers to enter into written agreements with other law enforcement agencies for mutual assistance when necessary to act outside statutory jurisdiction. Amends TCA Title 8; Title 38 and Title 49. by *Patton, *Ford S, *Davis R.

House Bill No. 1436 -- Elkton - Revises qualifications of city recorder. Amends Chapter 431 of the Acts of 1907; as amended. by *Fowlkes.

House Bill No. 1437 -- Soil Conservation - Authorizes board of directors of watershed district to establish in bylaws appointment or reappointment of members of board following initial six-year term. Amends TCA Title 69, Chapter 7, Part 1. by *Gunnels, *McKee.

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House Bill No. 1438 -- Hospitals and Health Care Facilities - Exempts birthing centers from obtaining certificate of need. Amends TCA Title 68, Chapter 11. by *Buck.

House Bill No. 1439 -- Civil Procedure - Enacts "Sunshine in Litigation Act of 1997". by *Ritchie.

House Bill No. 1440 -- Business and Commerce - Requires vendors selling new and unused personal property at flea markets to maintain records of where such property was obtained; makes such records open for inspection by law enforcement officers. Amends TCA Title 39, Chapter 14, Part 1. by *Dunn, *Clabough, *Tindell.

House Bill No. 1441 -- Managed Care Organizations - Provides for civil action with attorney fees recoverable against HMOs. Amends TCA Title 56, Chapter 32. by *Dunn.

House Bill No. 1442 -- Highways, Roads and Bridges - Requires county road superintendent to submit list of all county roads before county legislative body classifies road. Amends TCA Title 54, Chapter 10, Part 1. by *White, *Fowlkes, *Robinson.

House Bill No. 1443 -- TennCare - Requires program to make providers available to enrollees within 20 minutes or 20 miles of the residence, whichever is less. Amends TCA Title 56; Title 68 and Title 71. by *Rinks, *Head, *Fitzhugh, *Pinion, *Maddox, *White, *Tidwell, *Cole (Dyer), *Phelan, *McKee, *Ridgeway, *Cross, *Kisber, *Whitson, *McDaniel.

House Bill No. 1444 -- Products Liability - Removes ten year limitation on statute of repose for products liability cases where manufacturer or seller intentionally misrepresents or fraudulently conceals any material fact that is proximate cause of injury, death or property damage. Amends TCA Section 29-28-103. by *Buck.

House Bill No. 1445 -- Workers' Compensation - Authorizes courts to award additional attorney's fees in workers' compensation cases if necessary to enforce medical expenses which were part of settlement or judgment. Amends TCA Title 50, Chapter 6, Part 2. by *Buck.

House Bill No. 1446 -- Education - Revises existing school guidance counselor program into licensed school counseling program; provides for counselors in grades K-12 rather than 1 and 2; provides for funding through BEP; provides that local board must use funds on counseling program or notify state department of its alternative choice for providing counseling services for students; specifies duties of counselors. Amends TCA Section 49-6-303. by *Lewis, *Arriola, *Curtiss, *Ferguson, *Caldwell, *Whitson, *McAfee.

House Bill No. 1447 -- Highway Signs - Davies Manor Historic Site, I-40, Shelby County. by *Haley, *Hargett, *Scroggs, *Hassell, *Pleasant, *Kent.

House Bill No. 1448 -- Motor Vehicle Commission - Increases bond requirements for dealer from \$25,000 to \$50,000; requires motor vehicle salespersons to have bond of \$25,000. Amends TCA Section 55-17-111. by *Lewis.

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House Bill No. 1449 -- Motor Vehicle Commission - Revises exceptions to licensing requirements for sales of motor vehicles. Amends TCA Title 55, Chapter 17. by *Lewis.

House Bill No. 1450 -- Regional Authorities - Transfers existing positions of Tennessee Elk River development agency to department of environment and conservation. Amends TCA Title 8, Chapter 30 and Title 64, Chapter 1, Part 3. by *Lewis.

House Bill No. 1451 -- Traffic Safety - Requires use of headlights in weather conditions only necessitating use of windshield wipers rather than constant use of such wipers. Amends TCA Section 55-9-406. by *Lewis.

House Bill No. 1452 -- Taxes, Gasoline, Petroleum Products - Imposes additional 1/2 cent per gallon tax on railroad fuels to be used by TDOT for railroad safety programs. Amends TCA Title 67, Chapter 3. by *Lewis.

House Bill No. 1453 -- Drugs - Changes classifications regarding fines for certain controlled substances. Amends TCA Title 39, Chapter 17, Part 4. by *Ritchie.

House Bill No. 1454 -- Abortion - Prohibits certain obstruction or intimidation concerning reproductive health services or places of religious worship as Class E felony. Amends TCA Title 4; Title 39 and Title 68. by *Jones U (Shelby).

House Bill No. 1455 -- Taxes, Real Property - Requires Shelby County assessor of property to obtain approval of affected taxing jurisdiction, before appealing action of county board of equalization. Amends TCA Section 67-5-1412. by *Jones U (Shelby), *Kent, *Turner (Shelby), *Brooks.

House Bill No. 1456 -- Equalization Board - Provides for county board of equalization members from each of the four largest cities in counties with populations from 10,000 to 60,000, rather than two largest cities, as under present law. Amends TCA Section 67-1-401. by *Jones U (Shelby), *Kent, *Cross, *Turner (Shelby), *Brooks.

House Bill No. 1457 -- Equalization Board - Allows agents registered with state board of equalization to represent taxpayers before state or county boards of equalization without prior written authorization of taxpayer. Amends TCA Section 67-5-1407 and Section 67-5-1514. by *Cross, *Kent, *Hassell, *Miller L, *Towns, *Turner (Shelby), *Jones U (Shelby), *Brooks.

House Bill No. 1458 -- Taxes, Real Property - Adds "properties reappraised" to present exclusions of new construction, improvements and deletions in certifying tax rate to provide same ad valorem revenue as levied during previous year following general reappraisal. Amends TCA Title 67, Chapter 5. by *Jones U (Shelby), *Kent, *Cross, *Turner (Shelby).

House Bill No. 1459 -- Taxes, Real Property - Permits Shelby County assessor to maintain property records in such assessor's office. Amends TCA Section 67-5-1414. by *Jones U (Shelby), *Kent, *Turner (Shelby).

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House Bill No. 1460 -- Taxes, Real Property - Authorizes county board of equalization to preserve records of all board actions in Shelby County instead of turning over such records to assessor of property for preservation. Amends TCA Section 67-5-1414. by *Jones U (Shelby), *Kent, *Turner (Shelby).

House Bill No. 1461 -- Taxes, Real Property - Requires taxpayer or taxpayer's representative to provide written statement of taxpayer's interest in subject property as well as taxpayer's approval of taxpayer's representative in appeals, complaints or protests before county board of equalization. by *Jones U (Shelby), *Kent, *Turner (Shelby).

House Bill No. 1462 -- Taxes, Real Property - Requires presentation of valid original paid tax receipt or other written documentation of overpayment in taxes before refund will be paid to taxpayer or taxpayer's agent. Amends TCA Section 67-5-1512(b)(2)(B). by *Jones U (Shelby), *Kent, *Turner (Shelby).

House Bill No. 1463 -- Taxes, Real Property - Requires taxpayer or agent of taxpayer to provide appropriate board of equalization with written statement of such taxpayer's interest in property subject to appeal, complaint or protest. Amends TCA Title 67, Chapter 5, Part 14, and Part 15. by *Jones U (Shelby), *Kent, *Cross, *Turner (Shelby).

House Bill No. 1464 -- Election Laws - Permits rearrangement of names on voting machine ballot so machine will accommodate entire ballot. Amends TCA Title 2, Chapter 5, Part 2. by *Jones U (Shelby), *DeBerry J, *Turner (Shelby), *Chumney, *Cooper B, *Towns, *Brooks.

House Bill No. 1465 -- Workers' Compensation - Changes notice period from 30 to 15 days for local government or state to elect or withdraw from workers' compensation law. Amends TCA Title 50. by *Jones U (Shelby), *Miller L, *Brooks.

House Bill No. 1466 -- Tort Liability - Increases insurance limits under Governmental Tort Liability Act; removes such limits effective 7/1/2001. Amends TCA Title 29, Chapter 20. by *Jones U (Shelby), *Miller L, *Pleasant, *Brooks.

House Bill No. 1467 -- Workers' Compensation - Increases from \$125,000 to \$500,000 deposit employer files in lieu of insurance. Amends TCA Title 50 and Title 56. by *Jones U (Shelby), *Miller L, *Pleasant, *Brooks.

House Bill No. 1468 -- Tort Liability - Confers upon circuit courts original jurisdiction in governmental tort liability cases; permits trial by jury if any party so demands. Amends TCA Section 29-20-307. by *Jones U (Shelby), *Miller L, *Pleasant, *Brooks.

House Bill No. 1469 -- Financial Disclosure - Clarifies independent candidates must file disclosures at same time as other candidates for state or local office. Amends TCA Title 2, Chapter 10, Part 1. by *Jones U (Shelby), *DeBerry J, *Miller L, *Pleasant, *Brooks.

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House Bill No. 1470 -- Election Laws - Permits county election commission to have paper ballots counted by central absentee counting board. Amends TCA Section 2-7-131. by *Jones U (Shelby), *DeBerry J, *Turner (Shelby), *Cooper B, *Towns, *Brooks.

House Bill No. 1471 -- General Assembly - Creates special blue ribbon committee consisting of ten citizens to be appointed by speakers of senate and house of representatives to study compensation of members of general assembly. Amends TCA Title 3, Chapter 1, Part 1. by *Jones U (Shelby), *Brooks, *Towns.

House Bill No. 1472 -- Salaries and Benefits - Requires new employees of legislative branch to elect whether to be paid monthly or semi-monthly. Amends TCA Section 8-23-202. by *Jones U (Shelby), *Brooks.

House Bill No. 1473 -- State Prisoners - Requires nonindigent inmates serving sentences for second or subsequent felony offenses to reimburse state for various services provided to such inmates. Amends TCA Title 41, Chapter 21. by *Jones U (Shelby), *DeBerry J, *Brooks.

House Bill No. 1474 -- Sentencing - Increases minimum sentence for offense of second degree murder to 25 years; requires service of entire minimum sentence undiminished by sentence credits before first eligibility for release. Amends TCA Title 39, Chapter 13, Part 2 and Title 40, Chapter 35, Part 5. by *Jones U (Shelby), *DeBerry J.

House Bill No. 1475 -- State Employees - Designates night watchmen for the capitol and grounds as capitol security officers for the capitol complex; defines "capitol complex" as capitol, grounds, annexes, War Memorial Building, Legislative Plaza and other buildings where legislative staff has office space; includes parking lot and garages. Amends TCA Title 4, Chapter 8. by *Jones U (Shelby), *Brooks.

House Bill No. 1476 -- Election Laws - Sets Shelby County election commission members' salaries at 85 percent of board of commissioners' salaries. Amends TCA Title 2, Chapter 12. by *Jones U (Shelby), *Turner (Shelby), *Cooper B, *Pruitt, *Bowers, *Brooks.

House Bill No. 1477 -- Election Laws - Revises process for change of address under federal motor voter law. Amends TCA Section 2-2-106; Section 2-2-109; Section 2-2-129; Section 2-2-130; Section 2-6-109; Section 2-6-202; Section 2-7-112; Section 2-7-115 and Section 2-7-124. by *Jones U (Shelby), *DeBerry J, *Turner (Shelby), *Cooper B, *Towns, *Brooks.

House Bill No. 1478 -- State Government - Requires all board and commission members to be state residents. Amends TCA Title 4. by *Kernell, *Kent, *Cross, *Turner (Shelby), *Jones U (Shelby).

House Bill No. 1479 -- Equalization Board - Extends date for filing appeals from initial decision of administrative judge or hearing examiners for state board from 15 to 30 days from date initial decision sent. Amends TCA Title 67. by *Cross, *Kent, *Turner (Shelby), *Jones U (Shelby).

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House Bill No. 1480 -- Taxes, Real Property - Authorizes any person or entity, or agent, responsible for payment of property taxes to file complaints, appeals, and protests with respect to any property assessment or tax issues involving property taxes. Amends TCA Title 67, Chapter 5. by *Cross, *Kent, *Hassell, *Miller L, *Towns, *Turner (Shelby), *Jones U (Shelby), *Brooks.

House Bill No. 1481 -- Driver Licenses - Raises minimum age for driver license from 16 to 17; prevents drivers under age 18 from being on road from 8:00 p.m. to 6:00 a.m. Amends TCA Title 55, Chapter 50. by *DeBerry J.

House Bill No. 1482 -- Insurance, Health, Accident - Requires certain equipment and supplies for treatment of diabetes be included in insurance coverage and coverage by HMOs and MCOs; also requires outpatient self-management training and educational services including medical nutrition therapy when prescribed by a physician. Amends TCA Title 56, Chapter 7, Part 23. by *McAfee, *Cole (Dyer), *Phelan, *Rinks, *Roach, *Davis R.

House Bill No. 1483 -- State Government - Permits flex time for state employees in offices open to public. Amends TCA Title 4 and Title 15. by *Kisber.

House Bill No. 1484 -- Mortgages - Mortgages - Makes Fannie Mae an authorized lender under Home Equity Conversion Mortgage Act. Amends TCA Title 47, Chapter 30. by *Kisber.

***House Bill No. 1485** -- County Government - Upon adoption of resolution by county legislative body, requires trustee to accept property taxes after July 10 but prior to first Monday in October, after tax rates are set, tax rolls received and receipts are prepared. Amends TCA Title 5, Chapter 22 and Title 67, Chapter 1. by *Fowlkes.

House Bill No. 1486 -- Taxes, Income - Doubles present exemption of \$1,250 for individuals and \$2,500 for persons filing jointly under Hall income tax. Amends TCA Title 67, Chapter 2. by *Beavers.

House Bill No. 1487 -- DUI/DWI Offenses - Decreases from .10 to .08 percent BAC for DUI and creating presumption that person's driving ability was impaired; decreases from .08 to .06 percent BAC level creating presumption person's driving ability was impaired if person previously convicted of DUI. Amends TCA Title 55, Chapter 10, Part 4. by *Beavers, *Gunnels, *Mumpower, *Newton, *Goins, *Clabough, *Patton.

House Bill No. 1488 -- Utilities, Utility Districts - Requires utility district expanding service area into additional county to thereafter include on board of commissioners at least one person who is resident of such county and such service area. Amends TCA Title 7, Chapter 82. by *Beavers.

House Bill No. 1489 -- Taxes, Income - Provides that income from stocks and bonds subject to Hall income tax be taxed at 3 rather than 6 percent, if such income characterized as capital gain under federal income tax law. Amends TCA Title 67, Chapter 2. by *Beavers.

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House Bill No. 1490 -- Campaigns - Enacts "Clean Election Campaign Act." Amends TCA Title 2, Chapter 19 and Title 29, Chapter 24. by *Beavers.

House Bill No. 1491 -- Financial Disclosure - Prohibits requiring certain financial and other disclosure statements from employees in the career service. Amends TCA Title 8. by *Chumney, *Ridgeway.

House Bill No. 1492 -- Health - Establishes Area Health Education Center Program of Tennessee; appropriates \$1.5 million for 1997-1998. Amends TCA Title 68. by *Armstrong, *DeBerry L, *Brown, *Jones U (Shelby), *DeBerry J, *Cooper B, *Langster, *Pruitt, *Turner (Shelby), *Bowers, *Miller L, *Brooks, *Towns.

House Bill No. 1493 -- Health - Enacts "Disadvantaged Minority Health Improvement Act of 1997.", by *Armstrong, *Brown, *Jones U (Shelby), *DeBerry J, *Pruitt, *Miller L, *Towns, *Langster, *Brooks, *DeBerry L.

House Bill No. 1494 -- Psychologists - Authorizes certain psychologists to prescribe and administer psychotropic drugs. Amends TCA Section 39-17-402; Title 63, Chapter 10; Title 63, Chapter 11, Part 2; Title 63, Chapter 6 and Title 63, Chapter 7. by *Armstrong.

House Bill No. 1495 -- Criminal Offenses - Creates Class B felony offense of arson of a place of worship; enhances vandalism punishment if damage caused to place of worship; increases from \$5,000 to \$50,000 amount of money governor may offer as reward for information concerning criminal offense; and creates "Reward Pool Fund" to permit collection of private donations and gifts to enhance state offered reward. Amends TCA Title 39, Chapter 14, Part 3; Section 39-14-408 and Title 40, Chapter 8, Part 1. by *Armstrong, *DeBerry J, *Pruitt, *Turner (Shelby), *Tindell, *Kisber, *Brown, *Dunn, *Huskey, *Sargent, *Ritchie, *Bowers, *DeBerry L, *Chumney, *McAfee, *Wood, *Stulce, *Head, *McDaniel, *Burchett, *Whitson, *Sands.

House Bill No. 1496 -- Safety, Dept. of - Authorizes department to develop pilot program to permit operator with suspended driver license to pay fine in installments and allow limited driving privileges. Amends TCA Title 55, Chapter 50, Part 5. by *Armstrong, *DeBerry J, *Pruitt, *Turner (Shelby).

House Bill No. 1497 -- Drugs - Authorizes physicians to prescribe, order, administer, sell or otherwise distribute phentermine and fenfluramine despite any rule to the contrary of board of medical examiners. Amends TCA Title 39, Chapter 17, Part 4 and Title 63, Chapter 6, Part 2. by *Armstrong, *DeBerry J, *Pruitt, *Turner (Shelby), *Tindell, *Boyer.

House Bill No. 1498 -- Teachers - Requires binding arbitration clause in labor agreements between teachers and local boards of education. Amends TCA Section 49-5-612(c). by *Jones U (Shelby), *Cross, *Towns.

House Bill No. 1499 -- Teachers - Provides for arbitration on teacher discipline and dismissed hearings. Amends TCA Title 49, Chapter 50. by *Jones U (Shelby), *Cross, *Towns.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1500 -- Consumer Protection - Prohibits automobile insurance carriers from requiring use of after market collision parts when repairing current year models or models of prior two years. Amends TCA Title 47, Chapter 18 and Title 56, Chapter 7. by *Cole (Carter), *Beavers, *Fowlkes, *West, *Phelan, *Jackson, *Jones, S., *Cross, *Rhinehart, *Mumpower, *Cole (Dyer), *Kent, *Pinion, *Langster, *Rinks, *Turner (Shelby), *Pleasant, *White, *Kisber, *McDaniel, *Arriola, *Curtiss, *Davis R, *Bird, *Hassell, *Burchett.

House Bill No. 1501 -- Boats, Boating - Enacts "Comprehensive Boating Safety Act of 1997." Amends TCA Title 69, Chapter 10. by *Rinks, *Bittle, *McDaniel.

House Bill No. 1502 -- Mortgages - Extends from 30 to 45 days minimum notice period for lender to notify commissioner of financial institutions before lender can make reverse mortgage loans. Amends TCA Title 47, Chapter 30. by *Phillips.

House Bill No. 1503 -- Insurance, Health, Accident - Mandates coverage of emergency medical services by HMOs and other health insurers. Amends TCA Title 56 and Title 68. by *Head, *Cole (Dyer), *Jackson.

House Bill No. 1504 -- Traffic Safety - Deletes requirement that law enforcement officer has stopped individual for separate violation before issuing citation for safety belt violation. Amends TCA Section 55-9-603. by *Robinson, *Caldwell.

House Bill No. 1505 -- Dentists - Prohibits individuals, schools or educational programs from offering certification in specialty or branch of dentistry not recognized by board of dentistry. Amends TCA Section 63-5-113. by *Odom.

House Bill No. 1506 -- Insurance, Health, Accident - Extends from 31 to 60 days period for offering proof of child's birth. Amends TCA Title 56, Chapter 7. by *Odom.

House Bill No. 1507 -- Hospitals and Health Care Facilities - Requires commissioner of health to promulgate regulations setting standards for health care facilities treating children. Amends TCA Titles 33, 37, 63 and 68. by *Caldwell.

House Bill No. 1508 -- Children - Changes from five to four number of board directors of Tennessee child care facilities corporation required for quorum; changes from five to four number of affirmative votes necessary for action to be taken by such board. Amends TCA Title 4. by *Chumney, *Jones, S..

House Bill No. 1509 -- Insurance, Health, Accident - Require coverage of certain emergency medical services by HMOs, MCOs and health insurance providers. Amends TCA Title 56, Chapter 32, Part 2; Title 56, Chapter 7 and Section 68-140-502. by *Head, *Cole (Dyer), *Jackson.

House Bill No. 1510 -- Taxes, Sales - Increases from 30 to 35 years term for issuance of bonds for construction of sports facility eligible for special tax treatment. Amends TCA Title 7, Chapter 67 and Title 67, Chapter 6. by *Miller L.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1511 -- School Transportation - Provides that school bus driver certificates valid for only one year at a time; requires annual recertification following ten hours of supplemental training in safety related topics. Amends TCA Title 49, Chapter 6, Part 21. by *Ritchie.

House Bill No. 1512 -- Pensions and Retirement Benefits - Extends termination date from June 30, 1997 to June 30, 1998, for determining 3.6 percent increase in annual earnable compensation for members covered by noncontributory provisions of TCRS. Amends TCA Section 8-34-101(4)(B)(i). by *Rhinehart, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L.

House Bill No. 1513 -- Public Contracts - Enacts "Privatization Contractor Public Accountability Act of 1997." Amends TCA Title 8, Chapter 4. by *Brown, *Cross, *Newton, *Ridgeway, *Miller L, *Windle.

House Bill No. 1514 -- Pensions and Retirement Benefits - Establishes schedule of premium payment percentages for retirees participating in state employee group insurance plan. Amends TCA Title 8, Chapter 27, Part 2. by *Head, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L.

House Bill No. 1515 -- Pensions and Retirement Benefits - Provides for certain cost of living adjustments for certain beneficiaries of TCRS. Amends TCA Section 8-36-701. by *Kisber, *Head, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L.

House Bill No. 1516 -- Pensions and Retirement Benefits - Allows state employees on disability retirement allowance to retain basic medical plan coverage. Amends TCA Title 8, Chapter 27, Part 2. by *McDonald, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L.

House Bill No. 1517 -- Civil Service - Redefines those positions which shall comprise executive service in state service. Amends TCA Section 8-30-208. by *Brown, *Cross, *Newton, *Ridgeway, *Miller L.

House Bill No. 1518 -- Civil Service - Increases notice of dismissal requirement for appointing authority, from ten to 15 days prior to employee dismissal date. Amends TCA Title 8, Chapter 30. by *Jones U (Shelby), *Ridgeway, *Miller L.

***House Bill No. 1519** -- State Employees - Revises provisions for public and university employee insurance. Amends TCA Title 27, Chapter 8. by *Rhinehart.

House Bill No. 1520 -- Taxes, Sales - Expands tax exemption for farm equipment and machinery to include replacement parts and labor relative to repair of such farm equipment and machinery. Amends TCA Section 67-6-207. by *Cole (Dyer), *Givens, *Davidson, *Walker, *Sands, *Windle, *Walley, *McKee, *Head, *Roach, *Rinks, *Phelan, *Pinion, *McDaniel.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1521 -- Education - Expands list of prohibited substances for possession of which student may be expelled to include prescription drug or any other controlled substance. Amends TCA Section 49-6-4018. by *Winningham.

House Bill No. 1522 -- Local Education Agency - Permits schools director or certified physician statement to waive or reduce 30 day formal teacher leave notice requirement; requires schools director to act on request within 15 days; requires written notification of action and beginning and ending dates of leave granted. Amends TCA Title 49. by *Hood.

House Bill No. 1523 -- Teachers - Requires director of schools instead of board of education to hire substitute teachers and local board only pays them. Amends TCA Section 49-5-709. by *Hood.

House Bill No. 1524 -- Public Officials - Provides for reimbursement of reasonable attorneys' fees for any public officer charged under ouster statute and restored or not removed from office. Amends TCA Section 8-47-121. by *Davidson.

House Bill No. 1525 -- TennCare - Increases from 30 to 40 days time period in which notices for changes and deletions to the TennCare formulary must be mailed. Amends TCA Title 71, Chapter 5, Part 1. by *Kisber.

House Bill No. 1526 -- TennCare - Provides for use of generic drugs with TennCare patients unless licensed practitioner prescribes otherwise. Amends TCA Titles 53, 56 and 71. by *Bowers.

House Bill No. 1527 -- TennCare - Updates references on "Medicaid" eligibility to include "TennCare". Amends TCA Titles 53, 56 and 71. by *Bowers.

House Bill No. 1528 -- TennCare - Raises from \$50.00 to \$60.00 per day per diem for members of medicaid drug utilization review board. Amends TCA Title 71. by *Kisber.

House Bill No. 1529 -- Insurance Companies, Agents, Brokers - Increases from \$10,000 to \$12,000 civil penalty for each violation of cease and desist orders relative to unfair competition in the insurance business. Amends TCA Title 56, Chapter 8, Part 1. by *Rinks.

House Bill No. 1530 -- Workers' Compensation - Requires all subcontractors and employees in construction industry to carry workers' compensation insurance without regard to five employee threshold. Amends TCA Title 50, Chapter 6. by *Rinks.

House Bill No. 1531 -- Boards and Commissions - Corrects date for mailing of renewal applications to employee assistance professionals; allows nationally recognized certificate holders to continue to be licensed in Tennessee without examination. Amends TCA Title 62, Chapter 42. by *Bone.

House Bill No. 1532 -- Watertown - Subject to local approval, enacts "City of Watertown Traffic Regulation Cost Act.". by *Bone.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1533 -- County Officers - Increases from \$65.00 to \$75.00 per diem compensation of Wilson County court officers Amends TCA Section 8-21-901. by *Bone.

House Bill No. 1534 -- County Officers - Lists persons who may administer oath to elected or appointed officials; permits official to take oath of office after certification of results or following appointment but before term officially begins. Amends TCA Title 8, Chapter 18. by *Bone.

House Bill No. 1535 -- Public Records - Revises law on copying and cost of copying public records having commercial value. Amends TCA Section 10-7-506. by *Ferguson.

House Bill No. 1536 -- Local Education Agency - Permits local, county or municipal school district existing on January 1, 1994, to become special school district by 2/3 school board vote and appropriate private act; authorizes county, municipal or special school district existing on January 1, 1994, to merge into single special school district. Amends TCA Section 49-2-501. by *Newton, *Phelan.

House Bill No. 1537 -- Drugs - Permits licensed physician to prescribe Schedule IV controlled substances fenfluramine and phentermine for any of their accepted medical use in treatment; prohibits board of medical examiners from disciplining physician for doing so Amends TCA Title 39, Chapter 17, Part 4 and Title 63, Chapter 6, Part 2. by *Williams (Williamson).

House Bill No. 1538 -- Civil Procedure - Enacts "Forfeiture of Assets from Money Laundering Act of 1997". by *Williams (Williamson).

***House Bill No. 1539** -- Alcoholic Offenses - Imposes fines on parents and guardians who know their underage children have alcoholic beverages in their possession. Amends TCA Title 57. by *White.

***House Bill No. 1540** -- Minors, 12-18 - Imposes civil penalty on parents and guardians who knowingly allow their children to purchase or use tobacco products. Amends TCA Title 39, Chapter 17, Part 15. by *White.

House Bill No. 1541 -- Taxes, Gasoline, Petroleum Products - Revises procedure for distributor or dealer to obtain credit of special tax on petroleum products if petroleum products exported; provides alternative procedure for credit of such taxes. Amends TCA Section 67-3-910. by *Walley, *Williams (Williamson).

House Bill No. 1542 -- Hospitals and Health Care Facilities - Provides for 30 days' notice to attorney general on dissolution of public benefit corporation; redefines "hospital" in health facilities and mental health and mental retardation statutes to apply to institutions regardless of ownership Amends TCA Title 33; Title 48, Chapters 64, and 68, and Title 68, Chapter 11, Part 2. by *McDonald.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1543 -- Hospitals and Health Care Facilities - Redefines "hospital" by including institutions, regardless of form of ownership; extends period when no assets of public benefit corporation may be transferred while notice given to attorney general and reporter from 20 to 30 days. Amends TCA Title 12; Title 33; Title 48, Chapter 64; Title 48, Chapter 68; Title 49 and Title 68, Chapter 11, Part 2. by *McDonald.

***House Bill No. 1544** -- Railroads - Establishes an administrative process for ensuring that construction of any new line, track or siding conforms to state law and does not unreasonably jeopardize citizen health, safety or well-being. Amends TCA Section 4-3-2303; Title 65, Chapter 3, Part 1 and Title 65, Chapter 6, Part 1. by *Caldwell.

House Bill No. 1545 -- Insurance, Motor Vehicles - Adds certain definitions concerning uninsured motor vehicle insurance. Amends TCA Title 55 and Title 56. by *McMillan.

House Bill No. 1546 -- Workers' Compensation - Requires insurance companies offering accident or indemnity insurance in Tennessee to also offer workers' compensation insurance. Amends TCA Section 50-6-401. by *Turner (Shelby).

***House Bill No. 1547** -- Tennessee Regulatory Authority - Requires TRA to formulate policy requiring that community-based or rural volunteer fire departments be charged residential basic local exchange telephone rates. Amends TCA Title 65, Chapter 5. by *Godsey.

House Bill No. 1548 -- Education, Higher - Deletes as condition for terminating tuition contract beneficiary's completion of bachelor degree requirements at state institution of higher learning in less than 12 quarters, eight semesters or equivalent. Amends TCA Title 49, Chapter 7, Part 8. by *Davidson.

House Bill No. 1549 -- Education, Higher - Authorizes board of trustees of baccalaureate education system trust fund program to delegate day to day operating responsibilities to state treasurer; allows program participants to retain or transfer tuition units. Amends TCA Title 49, Chapter 7, Part 8. by *Davidson.

House Bill No. 1550 -- Teachers - Provides for reimbursement of evaluation fees for no more than 25 teachers for National Board for Professional Teaching Standards evaluations. Amends TCA Title 49, Chapter 5. by *Davidson, *Winningham.

House Bill No. 1551 -- Textbooks - Provides for specific notice of meetings of state textbook commission to representatives of Tennessee school boards association, school superintendents' association, and Tennessee education association. Amends TCA Section 49-6-2201(i). by *Davidson, *Winningham, *Cross, *Stulce, *Maddox, *Rinks.

House Bill No. 1552 -- Insurance, Health, Accident - Sets floor of 45 percent on state portion of teachers' health insurance premiums. Amends TCA Title 8, Chapter 27, Part 3. by *Davidson, *Winningham, *Cole (Dyer), *Cross, *Stulce, *Huskey, *Rinks.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1553 -- Criminal Procedure - Requires applicable agency to develop forms for receipts entitled "Notice of Seizure." Amends TCA Title 40, Chapter 33. by *Kisber.

House Bill No. 1554 -- Driver Licenses - Reduces from Class B to Class C misdemeanor offense of driving without a license; allows community service instead of fine Amends TCA Section 55-50-504. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1555 -- Correctional Programs - Creates pilot program for reduction of violence in prisons and jails by use of surveillance technology Amends TCA Title 41, Chapter 1, Part 1. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1556 -- Foster Care - Increases benefits to foster children by establishing minimum monthly allowance of not less than \$450 to \$597 depending upon age of child. Amends TCA Title 37 and Title 71. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1557 -- Alcoholic Beverages - Extends Sunday hours of permissible sale for liquor by the drink licensees to 11:00 a.m. instead of noon Amends TCA Section 57-4-203(d). by *Towns, *Miller L, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1558 -- Insurance Companies, Agents, Brokers - Prohibits setting rates based upon zip code of applicant Amends TCA Title 56. by *Towns, *Miller L, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1559 -- Insurance, Health, Accident - Extends present continuation for coverage of terminated group coverage from three additional policy months to four. Amends TCA Title 56. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1560 -- Banks and Financial Institutions - Lengthens from 30 to 45 days approval period for establishment of branch banks. Amends TCA Title 45. by *Towns, *Miller L, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1561 -- Personnel Recruiting Services - Requires temporary service agencies to provide insurance coverage for employees working beyond 30 days Amends TCA Title 47, Chapter 18. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

House Bill No. 1562 -- State Employees - Requires 8 percent annual pay increase for state career service employees Amends TCA Title 8. by *Towns, *Miller L, *Bowers, *Cooper B, *Jones U (Shelby), *Brooks.

***House Bill No. 1563** -- Civil Service - Requires state civil service commission to meet at least once every four months instead of once every three months Amends TCA Title 8, Chapter 30. by *Burchett.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1564 -- Driver Licenses - Requires vision testing for driver license every eight years. Amends TCA Section 55-50-338. by *DeBerry J, *Jones U (Shelby), *Brooks, *Bowers.

House Bill No. 1565 -- Drug and Alcohol Rehabilitation - Enacts "Tennessee Standardized Treatment Program for Chemically-Dependent Felony Offenders." Amends TCA Title 39, Chapter 11. by *Langster, *Pruitt, *Brooks, *Turner (Shelby), *Jones U (Shelby), *DeBerry J, *Armstrong, *DeBerry L, *Bowers.

House Bill No. 1566 -- Naming and Designating - "Representative Harold Love Outstanding Community Involvement Award." Amends TCA Sections 49-7-208 and 209. by *Langster, *Naifeh, *Jones U (Shelby), *Brown, *DeBerry J, *Armstrong, *Pruitt.

House Bill No. 1567 -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plate honoring Tennessee's labor force Amends TCA Title 55, Chapter 4. by *Langster, *DeBerry L, *Pruitt, *Jones, S..

House Bill No. 1568 -- Taxes, Sales - Removes sales tax liability for retail purchases of certain food staples bought during October 1997; requires commissioners of revenue, health and human services to report on overall impact of such temporary sales tax exemption. Amends TCA Title 67, Chapter 6. by *Langster, *Jones U (Shelby), *DeBerry L, *Pruitt, *Jones, S., *DeBerry J, *Brooks, *West.

House Bill No. 1569 -- Labor, Dept. of - Adds provision of input relative to program evaluation as additional advisory responsibility of executive steering committee of institute for labor studies Amends TCA Title 4, Chapter 32. by *Langster, *DeBerry L, *Pruitt, *Jones, S..

House Bill No. 1570 -- Alcoholic Beverages - Authorizes sale by sports authority facility of liquor by the drink in Shelby and Davidson counties Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-201; Section 57-4-203 and Section 57-4-301. by *Langster, *Jones U (Shelby), *DeBerry J, *Towns, *Brooks, *Miller L, *DeBerry L, *Bowers, *Chumney.

House Bill No. 1571 -- Alcoholic Beverages - Restricts sale of alcohol at zoological institution to only wine and beer; removes restrictions on sales during regular operating hours. Amends TCA Title 57, Chapter 4, Part 1. by *Chumney.

House Bill No. 1572 -- Insurance, Health, Accident - Revises requirements for coverage of emergency medical services by HMOs, managed care organizations and health insurance providers. Amends TCA Title 56, Chapter 32, Part 2; Title 56, Chapter 7 and Section 68-140-502. by *Bowers.

***House Bill No. 1573** -- Workers' Compensation - Requires that multipliers for workers' compensation insurance apply to most recently approved, currently effective advisory prospective loss cost. Amends TCA Title 4; Title 38; Title 39; Title 50 and Title 56. by *Kisber.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1574 -- Election Laws - Removes requirement that candidates and PACs report dates of receipts of contributions and expenditures Amends TCA Section 2-10-107(a) and (c) and Section 2-10-105(a) and (b). by *Kisber.

House Bill No. 1575 -- Mental Illness - Confers concurrent jurisdiction upon general sessions court to issue orders for mandatory outpatient mental health treatment upon release of person previously committed for treatment by general sessions court Amends TCA Title 33, Chapter 6. by *Jones, S., *Eckles, *Armstrong, *Odom.

House Bill No. 1576 -- Mental Illness - Increases from five to seven days length of stay for which general sessions judge may order person committed to mental health facility upon emergency diagnosis. Amends TCA Title 33, Chapter 6. by *Jones, S., *Eckles, *Armstrong, *Odom.

House Bill No. 1577 -- Hospitals and Health Care Facilities - Requires nonprofit hospitals, medical-surgical facilities, health maintenance organizations, health service corporations and other nonprofit health care providers to file with department of health annual statement indicating number of patients treated who had no health insurance coverage. by *Rinks.

House Bill No. 1578 -- Business and Commerce - Exempts private entities contracting with governmental entities for the care, supervision and/or transportation of inmates from the Private Protective Services Licensing and Regulatory Act. by *Rinks.

House Bill No. 1579 -- University of Tennessee - Classifies resident physicians in training in emergency medicine as primary care physicians. Amends TCA Title 49. by *Odom.

House Bill No. 1580 -- County Officers - Authorizes Knox County court clerks to charge, in addition to any other fees, fee not to exceed \$5.00 for computer searches of public records having commercial value. Amends TCA Title 8, Chapter 21, Part 4. by *Ritchie.

***House Bill No. 1581** -- Courts, Circuit - Grants exclusive jurisdiction over domestic relations matters to fourth division in Hamilton County Amends TCA Section 16-2-506. by *Turner (Hamilton).

House Bill No. 1582 -- Mass Transit - Allocates portion of vehicle registration and renewal fees to mass transit systems. Amends TCA Title 55, Chapter 6. by *Turner (Shelby), *Brooks, *Miller L, *Towns, *Pruitt, *Armstrong, *Bowers, *West.

***House Bill No. 1583** -- General Assembly - Increases annual salary of members of general assembly from \$16,500 to \$19,800. Amends TCA Title 3, Chapter 1. by *Turner (Shelby), *Brooks, *Jones U (Shelby), *Miller L, *Towns, *Armstrong, *Bowers.

***House Bill No. 1584** -- Taxes, Income - Imposes 3 percent income tax, reduces sales taxes by .5 percent; reduces Hall income tax from 6 to 3 percent.. Amends TCA Title 67. by *Turner (Shelby), *Brooks, *Miller L, *Towns, *Pruitt.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1585 -- Taxes, Sales - Eliminates sales taxes on food, except for alcoholic beverages, tobacco products and foods and food products prepared for immediate consumption. Amends TCA Title 67, Chapter 6. by *Turner (Shelby), *Pruitt, *West, *Towns, *Bowers, *Miller L, *Brooks, *Jones, S..

House Bill No. 1586 -- Zoning - Changes effective date of Chapter 715, Public Acts of 1996 from July 1, 1995 to April 4, 1996, and may affect zoning amendments passed by resolution from July 1, 1995 to April 4, 1996, in counties with charter form of government. Amends TCA Title 5, Chapter 1, Part 2 and Section 13-7-105. by *Turner (Shelby), *Miller L, *Bowers.

***House Bill No. 1587** -- Pensions and Retirement Benefits - Clarifies that retirement benefits in TCRS are to be based upon highest five consecutive complete years of earnings. Amends TCA Title 8, Chapter 34. by *Turner (Shelby), *Brooks, *Jones U (Shelby), *DeBerry J, *Miller L, *Towns, *Pruitt, *Bowers.

House Bill No. 1588 -- Obscenity and Pornography - Revises Adult-Oriented Establishment Registration Act for the purpose of regulating sexually-oriented businesses. Amends TCA Title 7, Chapter 51, Part 11. by *West.

House Bill No. 1589 -- Sentencing - Authorizes reduction in sentence for certain misdemeanors where victim has received civil remedy. Amends TCA Section 39-16-604. by *West.

House Bill No. 1590 -- Motor Vehicles, Titling and Registration - Includes Native American Indian cultural plates as part of promotional campaign conducted by division of motor vehicles to increase public knowledge of availability, design and purpose of such plates. Amends TCA Title 55, Chapter 4. by *West.

House Bill No. 1591 -- Privacy, Confidentiality - Makes confidential communications related to certain mental health intervention techniques using group setting. Amends TCA Title 10; Title 33 and Title 63. by *Kent.

House Bill No. 1592 -- Recycling - Redefines "recycling"; provides that no solid waste management funds will be expended to purchase mechanical processing equipment unless such equipment is indispensable component of eligible grant project. Amends TCA Sections 68-211-802(a)(16) and 68-211-825(a). by *Kernell.

House Bill No. 1593 -- Tort Liability - Grants immunity to local governments using juvenile offenders for community service work if due care used in supervision. Amends TCA Section 37-1-131(a)(7). by *McMillan.

House Bill No. 1594 -- TennCare - Adds title "Medical Assistance and TennCare Act" to medical assistance chapter. Amends TCA Title 71, Chapter 5, Part 1. by *Jackson.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1595 -- Custody and Support - Requires custodial parent to notify court of intention to move child out of state; authorizes non-custodial parent to request hearing to determine if moving child out of state is in best interest of child Amends TCA Title 36. by *Jackson.

House Bill No. 1596 -- Pardons and Paroles - Requires board of paroles to notify chief law enforcement officer of municipality in which offense occurred at least 14 days before the inmate's scheduled parole hearing, provided such officer requests notification and provides current address Amends TCA Title 40, Chapter 28, Part 5. by *Jackson.

House Bill No. 1597 -- TennCare - Requires reports from the bureau of TennCare and commissioner of mental health and mental retardation concerning behavioral health organizations. Amends TCA Title 33 and Title 71. by *Jackson.

House Bill No. 1598 -- Divorce and Annulment - Requires six month waiting period before divorce petition heard if parties have unmarried child under 18 or either party has unmarried child under 18 living in same home as parties Amends TCA Title 36, Chapter 4, Part 1. by *Jackson.

House Bill No. 1599 -- Dentists - Increases from Class E felony to Class D felony penalty for second offense of practicing dentistry without license. Amends TCA Title 63, Chapter 5. by *McDaniel, *Williams (Williamson).

House Bill No. 1600 -- Dentists - Raises from Class E to Class D felony penalty for second offense of practicing dentistry without license. Amends TCA Title 63, Chapter 5. by *McDaniel, *Williams (Williamson).

House Bill No. 1601 -- Insurance, Health, Accident - Adds dentistry to list of services for which benefits may be assigned. Amends TCA Section 56-7-120. by *McDaniel.

House Bill No. 1602 -- Insurance Companies, Agents, Brokers - Permits insurance agent licensee to return revoked license to commissioner by personal delivery, mail or delivery service. Amends TCA Title 56, Chapters 2 and 6. by *McDaniel.

House Bill No. 1603 -- Loan Companies - Increases from 15 to 60 days amount of time pawnbroker must hold goods purchased over-the-counter before offering them for resale. Amends TCA Title 45, Chapter 6, Part 2. by *McDaniel.

House Bill No. 1604 -- DUI/DWI Offenses - Mandates issuance of special license plates for DUI offenders upon second or subsequent violations; creates offense for DUI offender driving vehicle without such special plates. Amends TCA Title 55, Chapter 10; and Title 55, Chapter 4. by *McDaniel.

House Bill No. 1605 -- Hospitals and Health Care Facilities - Requires that freezer air temperatures on health care facilities never exceed 20 degrees Fahrenheit; replaces "intermediate care facility" with "nursing facility." Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1606 -- Hospitals and Health Care Facilities - Requires that freezer air temperatures in health care facilities never exceed 15 degrees F; replaces "intermediate care facility" with "nursing facility." Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel.

House Bill No. 1607 -- Hospitals and Health Care Facilities - Excludes review of applications for new Medicare certified beds if previously reviewed in certificate of need application. Amends TCA Title 68, Chapter 11. by *McDaniel.

House Bill No. 1608 -- Hospitals and Health Care Facilities - Lowers amount of capital expenditure for modification of health care facility requiring certificate of need from \$2 million to \$1.9 million. Amends TCA Title 68, Chapter 11. by *McDaniel.

House Bill No. 1609 -- Hospitals and Health Care Facilities - Clarifies that projections for nursing home beds be calculated by division of information services of department of health. Amends TCA Section 68-11-121. by *McDaniel.

House Bill No. 1610 -- Fiscal Review Committee - Makes speakers voting members Amends TCA Title 3, Chapter 7. by *Hargrove.

House Bill No. 1611 -- Criminal Procedure - Requires 30 day advance notice to opposing party of intent to use witness' testimony regarding defendant's mental state. Amends TCA Title 40, Chapter 17. by *Hargrove.

House Bill No. 1612 -- Criminal Procedure - Permits district attorney to petition court for mental evaluation of defendant upon defendant's intent to offer opinion testimony on own mental condition or in support of insanity defense at criminal proceeding. Amends TCA Section 33-7-301. by *Hargrove.

House Bill No. 1613 -- District Attorneys - Creates additional assistant district attorney and criminal investigator positions in specified judicial districts. Amends TCA Section 16-2-506. by *Hargrove.

House Bill No. 1614 -- District Attorneys - Increases compensation for criminal investigators. Amends TCA Section 8-7-201. by *Hargrove.

House Bill No. 1615 -- Witnesses - Replaces \$40.00 daily stipend to out of county witness with meals and lodging reimbursement at rates allowable under comprehensive travel regulations. Amends TCA Section 24-4-102. by *Hargrove.

House Bill No. 1616 -- Criminal Offenses - Prohibits defendant leaving court's jurisdiction or going into hiding to avoid prosecution, court appearance or incarceration when released for subsequent court appearance or incarceration. Amends TCA Section 39-16-609. by *Hargrove.

House Bill No. 1617 -- Sentencing - Prohibits appellate reversal of death, or life without parole, sentence based on trial court's failure to instruct jury on mitigating factor not specifically established by general assembly if overrules some specific care. Amends TCA Section 39-13-204. by *Hargrove.

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House Bill No. 1618 -- Criminal Offenses - Links punishment for accessory after the fact with principal offender's most serious offense. Amends TCA Section 39-11-411. by *Hargrove.

House Bill No. 1619 -- Criminal Procedure - Requires disclosure of potential witnesses in criminal trial prior to jury selection. Amends TCA Section 40-17-105. by *Hargrove.

House Bill No. 1620 -- Sentencing - Redefines "mass murder" for sentencing guidelines as murder of three or more persons within 48 months. Amends TCA Section 39-13-204(i)(12). by *Hargrove.

House Bill No. 1621 -- Criminal Procedure - Establishes procedure for judicial forfeiture of property acquired through criminal activity and certain personal property used to commit crime. Amends TCA Section 39-11-116. by *Hargrove.

***House Bill No. 1622** -- Criminal Offenses - Creates Class B misdemeanor offense, punishable only by fine of \$500, of making materially false statement to obtain services of state agency. Amends TCA Title 39, Chapter 16, Part 7. by *Kernell.

House Bill No. 1623 -- Pensions and Retirement Benefits - Changes date range for eligibility of peace time military service as creditable service in TCRS from 10-15-40 -- 5-7-75 to 10-15-40 -- 5-7-96. Amends TCA Section 8-34-605. by *Windle.

***House Bill No. 1624** -- State Government - Authorizes creation of postmortem examination department to investigate deaths. Amends TCA Title 38, Chapter 7. by *Windle.

House Bill No. 1625 -- Attorneys at Law - Increases penalty from Class E felony to Class D felony for offense of person falsely advertising such person as being lawyer. Amends TCA Title 23. by *Fitzhugh.

House Bill No. 1626 -- Human Rights - Removes requirement that housing for older persons provide significant facilities and services specifically designed to meet physical and social needs from exclusion of housing for older persons from discriminatory housing practices statute. Amends TCA Title 4, Chapter 21. by *Williams (Williamson).

House Bill No. 1627 -- Memphis - Increases salaries of school commissioners to \$12,500 per year. Amends Chapter 30 of the Acts of 1869. by *Jones U (Shelby), *DeBerry J, *Towns, *Miller L.

House Bill No. 1628 -- Board of Regents - Authorizes board of regents to enter into negotiations for purchase of Nashville School of Law; provides that, if so acquired by board, school to be renamed "Avon N. Williams School of Law." Amends TCA Title 49, Chapter 8, Part 1. by *Armstrong, *DeBerry L, *Pruitt, *Langster, *Cooper B, *Bowers, *DeBerry J, *Miller L, *Turner (Shelby), *Jones U (Shelby).

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***House Bill No. 1629** -- Drug and Alcohol Rehabilitation - Enacts "Tennessee Standardized Treatment Program for Chemically-Dependent Felony Offenders." Amends TCA Title 39, Chapter 11. by *Miller L, *Turner (Shelby), *DeBerry J, *Bowers, *DeBerry L.

House Bill No. 1630 -- Guardianship - Authorizes commission on aging to develop and implement program to recruit, train, and coordinate volunteers to assist district public guardians in maintaining independence and dignity of elderly wards. Amends TCA Title 34, Chapter 7, Part 1. by *Pruitt, *DeBerry J, *Armstrong, *Turner (Shelby), *Towns, *Jones U (Shelby), *Miller L, *Cooper B, *Bowers, *DeBerry L.

House Bill No. 1631 -- TennCare - Establishes division of managed care in department of public health; assigns certain duties to such division. Amends TCA Title 4, Chapter 3. by *DeBerry J, *Pruitt, *Armstrong, *Towns, *Brooks, *Langster, *Turner (Shelby), *Jones U (Shelby), *Miller L, *Bowers.

House Bill No. 1632 -- Social Workers - Provides state funding at certain rate for school social workers; requires certain reporting procedures by local education agencies that elect to use such funds for purposes other than employment of school social workers. Amends TCA Section 49-3-359. by *Brown, *Pruitt, *DeBerry J, *Towns, *Brooks, *Bowers, *Langster, *Turner (Shelby), *Cooper B, *Jones U (Shelby), *Miller L.

House Bill No. 1633 -- Textbooks - Directs textbook commission, in recommending social studies and history textbooks, to strive to recommend textbooks which accurately and comprehensively portray full range of diversity and achievement of racial and ethnic minorities. Amends TCA Section 49-6-2202. by *DeBerry J, *Armstrong, *Pruitt, *Towns, *Jones U (Shelby), *Miller L, *Cooper B, *Turner (Shelby), *Bowers, *DeBerry L.

House Bill No. 1634 -- Election Laws - Adds public high schools to the list of public offices and facilities serving as voter registration agencies. Amends TCA Section 2-2-202 and Section 2-2-205. by *Armstrong, *Miller L, *Towns, *Turner (Shelby), *Jones U (Shelby), *DeBerry J, *Bowers, *DeBerry L.

House Bill No. 1635 -- Basic Education Program (BEP) - Increases level of state funding provided for certain alternative schools. Amends TCA Section 49-3-359 and Section 49-6-3402. by *Towns, *Pruitt, *Armstrong, *Brown, *Brooks, *Cooper B, *Turner (Shelby), *Jones U (Shelby), *Bowers, *DeBerry L.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 158** -- Fees - Authorizes register of deeds in Anderson County to demand \$2.00 fee for data processing for each instrument recorded; fee to be allocated for purchase of computer equipment, upgrades, supplies and maintenance used in register's office. Amends TCA Section 8-21-1001. by *McNally. (HB 255)

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***Senate Bill No. 280** -- County Officers - Lists persons who may administer oath to elected or appointed officials; permits official to take oath of office after certification of results or following appointment but before term officially begins. Amends TCA Title 8, Chapter 18. by *Haun. (HB 1534)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1305 -- Veterinarians -- House Judiciary Committee

House Bill No. 1306 -- Civil Procedure -- House Judiciary Committee

House Bill No. 1307 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 1308 -- Judges and Chancellors -- House Judiciary Committee

House Bill No. 1309 -- Courts -- House Judiciary Committee

House Bill No. 1310 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 1311** -- Dentists -- House Health & Human Relations Committee

House Bill No. 1312 -- Nurses, Nursing -- House Health & Human Relations Committee

House Bill No. 1313 -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 1314 -- Banks and Financial Institutions -- House Commerce Committee

House Bill No. 1315 -- Municipal Government -- House State & Local Government Committee

House Bill No. 1316 -- State Government -- House State & Local Government Committee

House Bill No. 1317 -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 1318 -- TennCare -- House Commerce Committee

House Bill No. 1319 -- Courts -- House Judiciary Committee

House Bill No. 1320 -- Teachers -- House Education Committee

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House Bill No. 1321 -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

House Bill No. 1322 -- Teachers -- House Education Committee

***House Bill No. 1323** -- Education -- House Education Committee

House Bill No. 1324 -- Welfare -- House Health & Human Relations Committee

House Bill No. 1325 -- Professions and Occupations -- House Health & Human Relations Committee

House Bill No. 1326 -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

House Bill No. 1327 -- County Boundaries -- Caption Bill Held on House Desk

House Bill No. 1328 -- Mental Retardation -- House Health & Human Resources Committee

House Bill No. 1329 -- Child Abuse -- House Government Operations Committee

House Bill No. 1330 -- Highway Signs -- House Transportation Committee

House Bill No. 1331 -- Domestic Violence -- House Children and Family Affairs Committee

House Bill No. 1332 -- Domestic Violence -- House Children and Family Affairs Committee

House Bill No. 1333 -- Public Officials -- House State & Local Government Committee

House Bill No. 1334 -- Tort Liability -- House Judiciary Committee

House Bill No. 1335 -- Pardons and Paroles -- House Judiciary Committee

House Bill No. 1336 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 1337 -- State Prisoners -- House State & Local Government Committee

House Bill No. 1338 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 1339 -- Crime, Victims of -- Caption Bill Held on House Desk

House Bill No. 1340 -- Sunshine Law -- House Judiciary Committee

House Bill No. 1341 -- Highway Signs -- House Transportation Committee

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House Bill No. 1342 -- Municipal Government -- House State & Local Government Committee

House Bill No. 1343 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1344 -- Education -- House Education Committee

House Bill No. 1345 -- Courts, General Sessions -- House Judiciary Committee

House Bill No. 1346 -- Forest and Forest Products -- House Agriculture Committee

House Bill No. 1347 -- Campaigns -- Caption Bill Held on House Desk

House Bill No. 1348 -- Municipal Government -- Caption Bill Held on House Desk

House Bill No. 1349 -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 1350 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 1351 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 1352 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 1353 -- Telecommunications -- House Consumer & Employees Affairs Committee

House Bill No. 1354 -- Landlord and Tenant -- Caption Bill Held on House Desk

House Bill No. 1355 -- Business Organizations -- House Judiciary Committee

House Bill No. 1356 -- Courts, Supreme Court of Tennessee -- House Judiciary Committee

House Bill No. 1357 -- Smoking -- House Agriculture Committee

House Bill No. 1358 -- Alcoholic Beverages -- House State & Local Government Committee

House Bill No. 1359 -- Driver Licenses -- House Transportation Committee

House Bill No. 1360 -- Attorney General and Reporter -- Caption Bill Held on House Desk

House Bill No. 1361 -- Alcoholic Beverages -- House State & Local Government Committee

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House Bill No. 1362 -- Drugs -- House Health & Human Resources Committee

House Bill No. 1363 -- Cosmetology -- House State & Local Government Committee

***House Bill No. 1364** -- Health -- Caption Bill Held on House Desk

House Bill No. 1365 -- Loan Companies -- House Commerce Committee

***House Bill No. 1366** -- Agriculture -- House Agriculture Committee

House Bill No. 1367 -- Workers' Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 1368 -- Insurance Companies, Agents, Brokers -- House Commerce Committee

House Bill No. 1369 -- Tennessee Higher Education Commission -- House Education Committee

House Bill No. 1370 -- Education -- House Education Committee

House Bill No. 1371 -- Education, Higher -- House Education Committee

House Bill No. 1372 -- Auctions and Auctioneers -- House Commerce Committee

House Bill No. 1373 -- Auctions and Auctioneers -- House Commerce Committee

House Bill No. 1374 -- Education, Higher -- House Education Committee

House Bill No. 1375 -- Capital Punishment -- House Judiciary Committee

House Bill No. 1376 -- Sentencing -- House Judiciary Committee

House Bill No. 1377 -- Insurance, Health, Accident -- Caption Bill Held on House Desk

House Bill No. 1378 -- Education -- House Education Committee

House Bill No. 1379 -- Education -- House Education Committee

House Bill No. 1380 -- Education -- House Education Committee

House Bill No. 1381 -- Education -- House Education Committee

House Bill No. 1382 -- Economic and Community Development -- Caption Bill Held on House Desk

House Bill No. 1383 -- Tort Liability -- House Judiciary Committee

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- House Bill No. 1384** -- Employees, Employers -- Caption Bill Held on House Desk
- House Bill No. 1385** -- Workers' Compensation -- House Consumer & Employees Affairs Committee
- House Bill No. 1386** -- Tort Liability -- House Judiciary Committee
- House Bill No. 1387** -- Products Liability -- House Judiciary Committee
- House Bill No. 1388** -- Civil Procedure -- House Judiciary Committee
- House Bill No. 1389** -- Aged Persons -- Caption Bill Held on House Desk
- House Bill No. 1390** -- Hospitals and Health Care Facilities -- Caption Bill Held on House Desk
- House Bill No. 1391** -- Insurance, Health, Accident -- House Commerce Committee
- House Bill No. 1392** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- House Bill No. 1393** -- Taxes, Privilege -- House Finance, Ways & Means Committee
- House Bill No. 1394** -- State Employees -- House State & Local Government Committee
- House Bill No. 1395** -- Pensions and Retirement Benefits -- House State & Local Government Committee
- House Bill No. 1396** -- Taxes, Real Property -- House State & Local Government Committee
- House Bill No. 1397** -- Sports -- House State & Local Government Committee
- *House Bill No. 1398** -- Telecommunications -- Caption Bill Held on House Desk
- House Bill No. 1399** -- Taxes, Privilege -- Caption Bill Held on House Desk
- House Bill No. 1400** -- Garnishments and Executions -- House Judiciary Committee
- House Bill No. 1401** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee
- House Bill No. 1402** -- Lobbying, Lobbyists -- House State & Local Government Committee

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House Bill No. 1403 -- Bail, Bail Bonds -- House Judiciary Committee

House Bill No. 1404 -- Sentencing -- House Judiciary Committee

House Bill No. 1405 -- Campaigns -- House Judiciary Committee

House Bill No. 1406 -- Advertising -- House Transportation Committee

House Bill No. 1407 -- Abortion -- House Health & Human Resources Committee

House Bill No. 1408 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

CONSENT CALENDAR

***House Joint Resolution No. 1** -- Highway Signs - "Veteran's Memorial Parkway," S.R. 46, Dickson County. by *Jackson.

House Joint Resolution No. 18 -- Naming and Designating - Childhood Cancer Awareness Month, September 1997. by *West.

***House Bill No. 414** -- Real Estate Agents and Brokers - Authorizes Tennessee real estate commission to enter into reciprocity agreements with other states. Amends TCA Title 62, Chapter 13. by *Kent. (SB958 by *Leatherwood)

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 316 -- Alcoholic Beverages - Permits retailer to cash checks on store premises for a fee to person over age of 21. Amends TCA Section 57-3-404(e). by *Rhinehart, *Chumney, *Jones U (Shelby), *Kent. (*SB219 by *Cohen)

Rep. Rhinehart moved that **House Bill No. 316** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes	17
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Bittle, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Hicks, Huskey, Jackson, Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sargent, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, Whitson, Williams, Wood, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Beavers, Bone, Dunn, Ferguson, Goins, Hood, Maddox, McDonald, Odom, Pinion, Ritchie, Robinson, Sands, Tidwell, White, Windle, Winningham -- 17.

Representatives present and not voting were: Bird, Eckles, Ford, Jones S., Patton -- 5.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Kent, **House Bill No. 372** was recalled from the Commerce Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Hargrove moved to suspend **Rule No. 44** so that all bills filed up to the close of business on Monday, February 24, 1997, will be considered properly introduced on that date, which motion prevailed.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 60 out of order so that the House may go into joint convention with the Senate to hear the annual state of the Judiciary address, which motion prevailed.

Senate Joint Resolution No. 60 -- General Assembly, Joint Conventions - State of Judiciary Address, Wednesday, February 26, 1997, 3:00 p.m. by *Crutchfield, *Wilder, *Person, *Atchley.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 316: Rep(s). Bowers as prime sponsor(s).

House Bill No. 381: Rep(s). Dunn as prime sponsor(s).

House Bill No. 401: Rep(s). Givens as prime sponsor(s).

House Bill No. 537: Rep(s). Bone as prime sponsor(s).

House Bill No. 680: Rep(s). Davis as prime sponsor(s).

House Bill No. 1212: Rep(s). Curtiss, Gunnels, Armstrong and Whitson as prime sponsor(s).

House Bill No. 1492: Rep(s). Stulce as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Newton was/were removed as sponsor(s) of **House Bill No. 537**.

MESSAGE FROM THE SENATE
February 24, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 51; also, House Joint Resolution(s) No(s). 17, 19, 20, 31, 33, 34, 35, 36, 41, 42, 43, 44, 45, 46, 53 and 60; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
February 24, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1; also, Senate Joint Resolution(s) No(s). 40, 42, 43 and 44 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

INTRODUCTION OF BILLS

On motion previously made, the following bills were introduced:

***House Bill No. 1636** -- Law Enforcement - Requires all law enforcement officers to take two sets of fingerprints of each person arrested by officer; permits comptroller to withhold certain payments made by state to county or municipality if such officer fails to comply with fingerprinting requirement. Amends TCA Title 4; Title 8; Title 38 and Title 41. by *Buck.

House Bill No. 1637 -- Child Abuse - Makes certain changes to the mandatory child abuse reporting statutes. Amends TCA Section 37-1-403 and Section 37-1-405. by *Newton.

House Bill No. 1638 -- Municipal Government - Adds Davidson County to those counties authorized to condemn blighted and deteriorated property for redevelopment; present law applies to Henry, Roane, Bradley, Hamilton and Knox. Amends TCA Section 13-21-208. by *Langster, *West.

House Bill No. 1639 -- Wilson County - Authorizes Tenth Special School District of Wilson County (Lebanon) to issue \$1.1 million in bonds; provides for payment. Amends Chapter 330 of Acts of 1901, as amended. by *Bone.

House Bill No. 1640 -- Municipal Government - Authorizes Mount Juliet to impose \$10.00 court cost on traffic and criminal violations for traffic regulation subject to local approval. Amends TCA Title 6, Chapter 2. by *Beavers, *Bone.

***House Bill No. 1641** -- Abortion - Prohibits partial-birth abortions after twenty-fifth week from probable time of conception; procedure may be performed to save life of mother including life endangering condition caused by or arising from pregnancy; violation is Class C felony and mother exempt from prosecution. Amends TCA Section 39-15-201. by *Arriola.

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House Bill No. 1642 -- Teachers - Provides for licensure by state board of education as high school teacher of person who is graduate of four year non-teacher training institution of higher education with passage of professional knowledge tests or three years teaching experience in a private or church-related school. Amends TCA Title 49, Chapter 5. by *Burchett.

***House Bill No. 1643** -- Pensions and Retirement Benefits - Allows current or former members of TCRS to "buy" up to 60 months of additional creditable service. Amends TCA Title 8, Chapter 34, Part 6. by *Bone.

House Bill No. 1644 -- Election Laws - Removes prohibition on ability of corporations to pay for routine maintenance expenses of political action committees. Amends TCA Section 2-19-132. by *Cole (Dyer).

House Bill No. 1645 -- Personal Property - Allows holder of unclaimed (but not abandoned) personal property to enter into agreements necessary to locate property owner, if such costs not deducted from property or charged to owner. Amends TCA Title 45, Chapter 2, Part 9 and Title 66, Chapter 29, Part 1. by *White.

***House Bill No. 1646** -- Tennessee Housing Development Agency - Reconfigures board to six appointed members (two members each appointed by governor, speakers of senate and house of representatives) and three constitutional officers; reduces quorum requirements accordingly. Amends TCA Title 13, Chapter 13, Part 1. by *Williams (Williamson).

House Bill No. 1647 -- Criminal Procedure - Encourages supreme court to permit, in appropriate cases, use of videotape equipment and recordings during preliminary stages preceding trial for any criminal offense. Amends TCA Title 16 and Title 40. by *Westmoreland.

House Bill No. 1648 -- Criminal Offenses - Prohibits felons from installing or modifying or servicing on property of another person any burglar alarm system. Amends TCA Title 39, Chapter 14, Part 4 and Title 62, Chapter 32, Part 3. by *Godsey.

House Bill No. 1649 -- Abortion - Requires physicians to keep record of abortion by adding at least three-year time requirement. Amends TCA Title 39, Chapter 15, Part 2. by *Godsey.

House Bill No. 1650 -- Health - Makes it offense to offer or agree to contract for professional health care services when such contract incorporates "most favored nations" clause. Amends TCA Title 47, Chapter 50. by *Rinks.

House Bill No. 1651 -- Taxes - Establishes office of tax appeals Amends TCA Title 67. by *Rinks, *Kisber, *Head, *West, *McKee, *Turner (Hamilton), *Arriola, *Rhinehart, *Cole (Dyer), *Eckles, *Robinson, *Winningham, *Westmoreland, *Givens, *McDaniel, *Stamps, *Wood, *Bittle, *Whitson, *Cole (Carter).

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***House Bill No. 1652** -- Surplus Property - Authorizes nonprofit federally financed rural electric cooperatives to purchase surplus government property Amends TCA Section 12-2-403. by *Rinks.

***House Bill No. 1653** -- Driver Licenses - Prohibits department of safety from releasing information regarding accidents where driver uses commercial driver license and no violation of law or ordinance charged. Amends TCA Title 55. by *Rinks.

House Bill No. 1654 -- Education - Authorizes local boards of education to establish charter schools or charter school pilot programs. Amends TCA Title 49. by *Brown.

House Bill No. 1655 -- Sports - Prohibits amateur boxing unless amateur is registered with USABF or comparable recognized organization; permits amateur contests also if no prize received by contestant. Amends TCA Title 68, Chapter 115. by *Rhinehart, *Curtiss.

House Bill No. 1656 -- Architects and Engineers - Authorizes the board of architects and engineers to accept application from other state if the applicant holds unexpired certificate from National Council of Architectural Registration Boards or the Council of Landscape Architectural Registration Boards. Amends TCA Section 62-2-304. by *Westmoreland.

House Bill No. 1657 -- Education, Higher - Creates "Tennessee Student Employment Incentive Program" to subsidize employment of college students by private businesses Amends TCA Title 49; Title 50 and Title 56. by *Davidson.

House Bill No. 1658 -- Osteopathy - Expands authority of board of osteopathic examination to assess costs directly related to prosecution of case against licensee or person, if following final order after disciplinary contested case hearing, finding issued that licensee or other person violated provision of TCA 63-9-111. Amends TCA Section 63-9-111. by *Lewis.

House Bill No. 1659 -- Osteopathy - Prohibits boards, commissions, health care facilities, health and medical corporations and insurance companies from discriminating against eligible osteopathic physicians in certain circumstances. Amends TCA Section 63-9-106. by *Armstrong.

House Bill No. 1660 -- Custody and Support - Establishes procedure for grandparents to establish visitation rights with grandchildren Amends TCA Title 36, Chapter 6, Part 3. by *Patton.

House Bill No. 1661 -- Bail, Bail Bonds - Requires bail bondsmen and bonding agents to print certain consumer information on back of all bail bonds with copy to be given to person entering bail agreement. Amends TCA Title 40, Chapter 11. by *Boyer.

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House Bill No. 1662 -- Bail, Bail Bonds - Gives general sessions court, in addition to circuit, criminal and supreme court, authority to hear and grant petitions for relief filed by person against whom recognizance has been forfeited. Amends TCA Title 40, Chapter 11, Part 2. by *Bird, *Westmoreland.

House Bill No. 1663 -- Bail, Bail Bonds - Enacts "Citizen's Right to Know: Pretrial Release Act of 1997." Amends TCA Title 40, Chapter 11. by *Windle.

House Bill No. 1664 -- District Attorneys - Revises quantity of funded positions in several judicial districts. Amends TCA Section 16-2-506. by *Hargrove.

House Bill No. 1665 -- Insurance, Motor Vehicles - Requires motor vehicle insurer to issue payment for claims of \$250 or greater to be issued jointly to lienholder and insured Amends TCA Title 56, Chapter 7, Part 11. by *Phillips.

House Bill No. 1666 -- Real Estate Agents and Brokers - Requires affiliate real estate brokers to work with Tennessee real estate firm before obtaining real estate license in Tennessee. Amends TCA Title 62, Chapter 13, Part 3. by *Phillips.

House Bill No. 1667 -- Education - Authorizes local school boards to develop and implement parent-teacher-school education contracts. Amends TCA Title 49, Chapters 1, 2, and 6. by *McDonald.

House Bill No. 1668 -- Racing - Repeals changes relative to simulcasts, teletheaters and fairs enacted pursuant to Chapter 1080 of Public Acts of 1996. Amends TCA Title 4, Chapter 36. by *Ritchie, *Ridgeway, *Windle, *Walley, *Rhinehart, *Ford S, *Wood, *Dunn, *Burchett, *Beavers, *Patton, *Godsey, *Mumpower.

House Bill No. 1669 -- Insurance, Life - Disallows payment of enhanced or specified benefit under policy of life, disability or credit life if insured suffers accidental injury, death or disability while operating or in physical control of motor vehicle and is DUI. Amends TCA Title 56, Chapter 7. by *Gunnels.

House Bill No. 1670 -- Foster Care - Prevents department of children's services or other placement agency or institution from placing child in home of persons known to be homosexual. Amends TCA Title 37, Chapter 2, Part 4. by *Mumpower, *McDaniel, *Godsey.

House Bill No. 1671 -- Taxes, Privilege - Repeals occupational privilege tax. Amends TCA Section 3-6-113; Section 49-7-2112; Section 63-6-207 and Section 63-9-104. Repeals TCA Title 67, Chapter 4, Part 17. by *Mumpower, *Westmoreland, *Godsey, *Hicks, *Whitson, *McDaniel.

House Bill No. 1672 -- TennCare - Requires that person seeking TennCare eligibility as uninsurable be rejected in writing by insurer Amends TCA Title 71. by *Wood.

House Bill No. 1673 -- Taxes, Business - Creates tax credit for transfers of certain personal properties to governmental units or instrumentalities. Amends TCA Title 67, Chapter 4. by *Mumpower, *Godsey, *Westmoreland.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1674 -- Landlord and Tenant - Permits service of process in forcible entry and detainer actions to be accomplished by posting copy of summons on door of premises, mailing copy of same to defendant's last known address and making entry of such action on face of warrant, if defendant cannot be personally served, or if no person is residing at premises at time of attempted service. Amends TCA Title 29, Chapter 18. by *Haley.

***House Bill No. 1675** -- Fees - Increases certain fees for constables and sheriffs for serving court papers. Amends TCA Section 8-21-901. by *McKee.

House Bill No. 1676 -- Insurance, Health, Accident - Clarifies duty of insurance companies writing medical malpractice insurance to report certain settlements or judgments within 30 working days. Amends TCA Title 56. by *McKee.

House Bill No. 1677 -- Bail, Bail Bonds - Establishes duration of criminal bail bonds and times during appellate process when defendant must make new bonds. Amends TCA Title 40, Chapter 11. by *Kent, *Windle.

***House Bill No. 1678** -- Insurance, Fire and Casualty - Allows mutual fire insurance companies located in counties of 600 square miles or more, rather than 650 square miles or more, to increase risk amount. Amends TCA Title 56, Chapter 22, Part 1. by *Davis R.

House Bill No. 1679 -- Assessors - Extends terms of assessors of property elected in 1996 from four to six years so thereafter elections and terms beginning in 2002 will coincide with other constitutional county officers. Amends TCA Section 67-1-502. by *Clabough.

***House Bill No. 1680** -- Alcoholic Offenses - Increases criminal penalties for beer sales to minors. Amends TCA Title 57, Chapter 5, Part 3. by *Burchett.

***House Bill No. 1681** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for Child and Family Preservation; after sale of 1,000 plates, funds from sale allocated to Child and Family Services of Knox County, Inc. to fund mental health and social service programs for children and families. Amends TCA Title 55, Chapter 4. by *Burchett.

House Bill No. 1682 -- Business and Commerce - Enacts "Heavy Equipment Dealer Act". by *Scroggs.

House Bill No. 1683 -- Environmental Preservation - Revises Bicentennial Beautification Act of 1993, to provide for planting native flora on rights-of-way of state highways adjoining Bicentennial Mall. Amends TCA Title 54, Chapter 5, Part 12. by *Scroggs.

***House Bill No. 1684** -- Municipal Government - Permits cities of less than 5,000 population to increase number of aldermen to maximum of four without increasing number of wards. Amends TCA Section 6-3-101. by *Whitson.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1685 -- Architects and Engineers - Requires report from architect, engineer or landscape engineer that reasonable cause for malpractice exists before action for malpractice against architect, engineer or landscape engineer can be filed. Amends TCA Title 29. by *Davis R.

House Bill No. 1686 -- Hospitals and Health Care Facilities - Licenses supportive residential service facilities for persons with AIDS. by *Bowers.

***House Bill No. 1687** -- Civil Procedure - Expands personal jurisdiction and out-of-state service of process based on enduring relationship or conduct; provides for personal jurisdiction on any basis authorized by law or by state or federal constitution. Amends TCA Title 20, Chapter 2. by *Buck.

House Bill No. 1688 -- Hospitals and Health Care Facilities - Increases from 70 to 90 days time period during which health facilities commission can defer decisions relative to applications Amends TCA Title 68, Chapter 11. by *Buck.

House Bill No. 1689 -- Firearms and Ammunition - Requires court to inform defendant prior to entering guilty plea for misdemeanor offense of domestic violence that consequence of such conviction is that defendant will never again be able to lawfully purchase or possess firearm. Amends TCA Title 40, Chapter 14. by *Buck.

House Bill No. 1690 -- Clarksville - Permits operation of own telecommunications utility. Amends Chapter 292 of the Private Acts of 1957. by *Head.

House Bill No. 1691 -- Election Laws - Revises election laws. Amends TCA Title 2, Chapters 2, 3, 4, 5, 6, 7, 10, 12, and 13; and Title 5, Chapter 1. by *Head.

House Bill No. 1692 -- Taxes, Sales - Authorizes counties to impose additional sales tax, up to 2 percent, on prepared foods and beverages; proceeds to be used for education related capital improvements. Amends TCA Title 67, Chapter 4. by *Head.

House Bill No. 1693 -- Firearms and Ammunition - Requires department of safety to issue handgun permit to currently employed district attorney general requesting such permit and paying fee, notwithstanding present handgun permit law. Amends TCA Title 39, Chapter 17, Part 13. by *Ferguson.

House Bill No. 1694 -- Criminal Procedure - Denies bail for 24 hour period for domestic violence offenders; requires such offender to remain in jail. Amends TCA Title 40, Chapter 11, Part 1. by *Ferguson.

***House Bill No. 1695** -- County Government - Limits to \$50,000 in fiscal year amount county can appropriate to provide for exhibits of agriculture, horticulture and manufactured products at Tennessee state fair. Amends TCA Title 5, Chapter 9, Part 1. by *Westmoreland.

***House Bill No. 1696** -- State Employees - Enacts "Working Families First Act" which requires reductions in force be accomplished without layoffs if attrition available. Amends TCA Title 8. by *Windle, *Ferguson.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1697 -- Divorce and Annulment - Changes "irreconcilable differences" grounds for divorce to "dual fault" grounds for divorce; requires parties to stipulate in writing that both parties are at fault. Amends TCA Section 17-2-209 and Title 36, Chapter 4, Part 1. by *Windle.

House Bill No. 1698 -- Domestic Violence - Increases penalties for domestic violence which are assaults; authorizes capital punishment for murder involving domestic violence. Amends TCA Title 39, Chapter 13. by *Ferguson.

House Bill No. 1699 -- Local Education Agency - Exempts Fentress, Morgan, and Overton counties from requirement of appointed, rather than elected, school superintendents. Amends TCA Section 49-2-301. by *Windle.

House Bill No. 1700 -- Civil Defense - Authorizes governor in times of emergency to acquire necessary highway rights-of-way, in addition to real property, to provide adequate facilities for protection and defense of state. Amends TCA Title 58, Chapter 1. by *Windle.

House Bill No. 1701 -- DUI/DWI Offenses - Admits as relevant evidence of DUI offense police officer's testimony as to driver's physical condition when given field sobriety tests by officer; eliminates necessity for scientific evidence of reliability of sobriety tests to use officer's observations surrounding tests. Amends TCA Title 55, Chapter 10, Part 4. by *Newton.

House Bill No. 1702 -- Education - Provides that compensation of executive director of THEC subject to funding appropriated for that purpose. Amends TCA Title 49 and Title 67. by *Davidson.

House Bill No. 1703 -- Hospitals and Health Care Facilities - Allows immediate destruction of original hospital records once reproduced on microfilm, microfiche, or similar permanent imaging. Amends TCA Title 68, Chapter 11. by *Eckles.

House Bill No. 1704 -- Hospitals and Health Care Facilities - Requires sanctions of Patient's Privacy Protection Act be strictly endorsed, including penalties and injunctions. Amends TCA Title 63 and Title 68. by *Eckles.

House Bill No. 1705 -- Education, Higher - Deletes dollar cap on student activity fees; removes prohibition on having student referendum within two years of failed referendum on raising fees. Amends TCA Section 49-8-110. by *Godsey.

***House Bill No. 1706** -- Drugs - Enacts "Drug Bounty Act of 1997." Amends TCA Title 4; Title 39; Title 40 and Title 53. by *Buck.

***House Bill No. 1707** -- Education - Authorizes school principals to call for moment of silence in response to requests for same from president or governor or in response to local or national tragedies. Amends TCA Section 49-6-1004. by *Goins.

House Bill No. 1708 -- Health - Removes requirement for CON if initiating outpatient surgery services. Amends TCA Title 68, Chapter 11. by *Eckles.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1709 -- Physicians and Surgeons - Requires board of medical examiners to appoint four rather than three physicians to examine physician when board requires mental or physical examination. Amends TCA Title 63, Chapters 6 and 9. by *Eckles.

House Bill No. 1710 -- Taxes, Personal Property - Deletes statutory depreciation schedule for tangible personal property. Amends TCA Title 67, Chapter 5, Part 9. by *Eckles.

House Bill No. 1711 -- Health - Requires board of medical examiners to appoint four rather than three physicians to examine physician when board requires mental or physical examination. Amends TCA Title 63, Chapters 6 and 9. by *Caldwell.

House Bill No. 1712 -- Hospitals and Health Care Facilities - Requires applications for certificate of need be filed within ten rather than five days after publication of letter of intent. Amends TCA Title 68, Chapter 11. by *Caldwell.

House Bill No. 1713 -- Insurance, Life - Requires industrial life insurance policies be settled within three months rather than two. Amends TCA Title 56 and Title 71. by *Clabough.

House Bill No. 1714 -- Health - Lowers age from 60 to 55 of members of health facilities commission governor must strive to appoint. Amends TCA Title 68. by *Odom.

House Bill No. 1715 -- Managed Care Organizations - Changes from two to three years period in which HMO holding CON must demonstrate to commissioner that basic health care services have been effectively provided. Amends TCA Title 56. by *Williams (Williamson).

House Bill No. 1716 -- Medical Occupations - Requires health care providers to furnish copies of patient's medical records within 15 working days instead of ten. Amends TCA Title 63, Chapter 2. by *Jones, S..

House Bill No. 1717 -- Managed Care Organizations - Changes from two years to one year period in which HMO holding CON must demonstrate to commissioner that basic health care services have been effectively provided. Amends TCA Title 56. by *Sands.

House Bill No. 1718 -- Courts - Authorizes courts to implement procedures for use of electronic signatures in signing of pleadings, court orders, judgment orders, or other court documents. Amends TCA Title 16, Chapter 1, Part 1 and Title 16, Chapter 3, Part 4. by *West.

House Bill No. 1719 -- Election Laws - Revises procedure for removing and restoring right to vote where voter moves without notifying county; process for transfer of voter registration; periods voters may register; grounds for challenging voter. Amends TCA Sections 2-2-106; 2-2-109; 2-2-129; 2-2-130; 2-6-109; 2-6-112; 2-7-112; 2-7-115 and 2-7-124. by *Hargrove.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1720 -- Motor Vehicles - Allows odometers to be reset to zero following repair or service if actual mileage and date of change are noted on permanently attached plate riveted to door. Amends TCA Sections 39-14-132, 47-18-104, and 55-17-114. by *Eckles, *Godsey, *Westmoreland, *Ridgeway.

House Bill No. 1721 -- Education, Higher - Revises procedures on grievance hearings for higher education employees. Amends TCA Section 49-8-117. by *McMillan, *Armstrong, *Ridgeway, *Langster, *Head, *Rinks, *Eckles, *West, *Phelan.

House Bill No. 1722 -- Real Estate Agents and Brokers - Requires real estate appraisers to undergo two years of service as real estate appraiser trainee. Amends TCA Section 62-39-304. by *West, *Cole (Carter).

House Bill No. 1723 -- Alcoholic Beverages - Expands scope of hotel gift authority. Amends TCA Section 57-4-203. by *West.

House Bill No. 1724 -- Mental Health and Mental Retardation, Dept. of - Gives residents of developmental centers, or parents or guardians, right to choose to receive services in community or developmental center. Amends TCA Title 33. by *West.

***House Bill No. 1725** -- Alcoholic Beverages - Permits bed and breakfast establishments in arts districts in four largest cities to obtain liquor by the drink license. Amends TCA Section 57-4-102. by *Rhinehart.

***House Bill No. 1726** -- Adoption - Extends waiting period to take action against non-supportive father from 30 to 31 days for adoption purposes. Amends TCA Title 36, Chapter 1. by *Fowlkes.

House Bill No. 1727 -- Alcoholic Beverages - Redefines "premiere type tourist resort" at which alcohol may be served. Amends TCA Section 57-4-102(17). by *Fowlkes.

House Bill No. 1728 -- Correctional Programs - Establishes board of corrections with responsibility for management of state prisons and field service programs. Amends TCA Title 4; Title 40 and Title 41. by *Pinion.

House Bill No. 1729 -- Regional Authorities - Creates Maury County water projects authority. Amends TCA Title 64. by *Sands.

House Bill No. 1730 -- Education - Authorizes spouse and family member of principal, teacher and other school administrative employee to participate in bids for school contracts if principal, teacher or school administrative employee does not have discretion in selection of bids or specifications. Amends TCA Section 49-6-2003. by *Sands.

House Bill No. 1731 -- Disabled Persons - Revises provisions relative to disabled drivers, passengers and volunteers enforcing disabled parking privileges. Amends TCA Title 55, Chapter 21. by *Sands.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1732 -- Regional Authorities - Creates public land trust with nine member board of directors to manage land acquired for the Columbia Dam. Amends TCA Title 64. by *Sands.

House Bill No. 1733 -- Probation - Allows any judge of equal jurisdiction to conduct probation revocation hearing when requested to do so by trial judge who originally granted probation. Amends TCA Title 40, Chapter 35, Part 3. by *Sands.

House Bill No. 1734 -- Public Records - Requires confidentiality for all records and reports of internal affairs division of county jails or workhouses except to employees against whom reports or records form basis of adverse actions. Amends TCA Title 10, Chapter 7. by *Jones, S..

House Bill No. 1735 -- Insurance Companies, Agents, Brokers - Removes prohibition from doing insurance business for companies or entities financially owned or controlled by alien or foreign governments if certain conditions or requirements met. Amends TCA Title 56, Chapter 2, Part 4. by *Garrett.

House Bill No. 1736 -- Surveyors - Sets licensing requirements for land surveyors beginning July 1, 2003. Amends TCA Section 62-18-109. by *Garrett.

House Bill No. 1737 -- Architects and Engineers - Exempts from sales tax models created by architects, engineers, landscape architects and interior designers used in development of prototype. Amends TCA Title 67, Chapter 6, Part 3. by *Garrett.

***House Bill No. 1738** -- Bankruptcy - Revises property exemptions under bankruptcy law. Amends TCA Title 26, Chapter 2. by *Stulce.

House Bill No. 1739 -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 64 (S.R. 15), Wayne County. by *White.

***House Bill No. 1740** -- Litter Control - Establishes mandatory minimum fines for litter violations and reward program from proceeds of fine. Amends TCA Title 4, Chapter 7, Part 3; Title 39, Chapter 14, Part 5; Title 69, Chapter 10, Part 2 and Title 71, Chapter 3, Part 5. by *Head.

***House Bill No. 1741** -- Children - Requires swimsuit editions of magazines, where primary purpose of swimsuit photographs not retail sale of swimsuit, to be displayed in manner required for material harmful to minors anywhere minors are lawfully admitted is displayed. Amends TCA Section 39-17-914. by *Gunnels.

House Bill No. 1742 -- Nurses, Nursing - Authorizes nurse practitioners to prescribe Schedule II - V drugs. Amends TCA Section 53-10-104 and Section 63-7-123. by *Jackson, *McDaniel.

***House Bill No. 1743** -- Insurance, Health, Accident - Requires written description of policy coverage provided to certain plan beneficiaries to include required coverage for phenylketonuria. Amends TCA Title 56, Chapter 7, Part 25. by *Jackson.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1744 -- Trade Regulation - Permits attorney general to investigate communications distributed by trade association Amends TCA Title 33 and Title 47, Chapter 25. by *McMillan.

House Bill No. 1745 -- Insurance Companies, Agents, Brokers - Requires insurance companies to advise insured or person applying for insurance of reasons for adverse underwriting decision. Amends TCA Title 56. by *McMillan.

***House Bill No. 1746** -- Parks, Natural Areas Preservation - Prohibits clear cutting in Standing Stone State Park Amends TCA Title 11. by *Windle.

House Bill No. 1747 -- Criminal Procedure - Prohibits use of intoxication as defense in criminal cases. Amends TCA Title 39, Chapter 11. by *Hargrove.

House Bill No. 1748 -- Game and Fish Laws - Requires issuance of sport fishing and hunting license without fee to veterans with service connected disability Amends TCA Section 70-2-104. by *Sharp.

***House Bill No. 1749** -- Sports - Requires sports agent permits to be renewed annually at cost of \$100; requires applications for sports agent permits to include fee of \$50.00 for each additional sports agent permit requested. Amends TCA Title 49, Chapter 7, Part 21. by *Sharp.

House Bill No. 1750 -- Workers' Compensation - Excludes asbestos-related diseases from 30 day notice to employer of contraction of disease requirement. Amends TCA Title 50, Chapter 6. by *Sharp.

House Bill No. 1751 -- Hospitals and Health Care Facilities - Makes all existing and future certificates of need to be state-wide certificates for home health agencies. Amends TCA Title 68. by *McAfee.

House Bill No. 1752 -- Divorce and Annulment - Requires bills for divorce for irreconcilable differences to be on file 120 instead of 90 days if parties have unmarried child under 18 years of age. Amends TCA Title 5, Chapter 1; and Title 36, Chapters 3 and 4. by *Walley, *Buck.

House Bill No. 1753 -- Taxes, Sales - Exempts Ruritan Clubs from sales tax. Amends TCA Title 67, Chapter 6, Part 3. by *Patton.

***House Bill No. 1754** -- Aged Persons - Authorizes adult foster care homes Amends TCA Title 68 and Title 71, Chapter 2. by *Patton.

***House Bill No. 1755** -- Education, Higher - Allows retired state employees with 30 or more years of service to audit courses at state institutions of higher education without charge. Amends TCA Section 49-7-113. by *Patton.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1756** -- Physicians and Surgeons - Permits employment of physicians by certain non-profit public benefit corporations whose purpose is to engage in medicine, education and research with college or university operating accredited medical school in Tennessee. Amends TCA Section 63-6-204. by *Patton.

House Bill No. 1757 -- Safety - Authorizes certain municipalities to adopt and enforce blasting standards and requirements more stringent than those in Tennessee Blasting Standards Act of 1975. Amends TCA Title 68, Chapter 105. by *Sargent.

House Bill No. 1758 -- Mental Illness - Requires department to establish system for assuring essential mental health services for persons not eligible for TennCare. Amends TCA Title 33, Chapter 2. by *Eckles, *Givens, *Head, *DeBerry J, *Pruitt, *Turner (Hamilton), *McMillan, *Cole (Carter), *Fitzhugh, *Kent.

House Bill No. 1759 -- Insurance Companies, Agents, Brokers - Provides for credit against franchise and excise taxes for premium tax paid by insurance companies; credit to start at 20 percent of premium tax due in 1998, and raised by 20 percent a year to full credit in 2002. Amends TCA Sections 56-4-217, 67-4-808(1) and 67-4-908(a). by *Kisber, *Turner (Hamilton), *Westmoreland.

House Bill No. 1760 -- Annexation - Prohibits strip annexation except in county with metropolitan form of government; restricts availability of annexation in certain circumstances; requires proportionate sharing of certain costs. Amends TCA Title 6, Chapter 51. by *Rhinehart.

***House Bill No. 1761** -- State Prisoners - Prohibits convicted felons from receiving sentence reduction credits for time incarcerated prior to imposition of sentence. Amends TCA Title 41. by *Windle.

***House Bill No. 1762** -- Correction, Dept. of - Requires department to devise and implement by September 1, 1997, hard labor work gang programs for able and appropriate inmates; prohibits inmates refusing to participate in such programs from earning sentence reduction credits. Amends TCA Title 41. by *Windle.

House Bill No. 1763 -- Taxes, Excise - Enacts "Tennessee Drug and Counterfeit Drug Excise Tax Act of 1997." Amends TCA Title 67, Chapter 4. by *Windle.

House Bill No. 1764 -- Sentencing - Enacts "Lottie's Law"; adds to list of aggravating circumstances, which may be considered in sentencing person for first degree murder, if age of victim was 70 years of age or older at time of murder. Amends TCA Title 39, Chapter 13, Part 2. by *Windle.

***House Bill No. 1765** -- State Prisoners - Requires warden of penitentiary to notify person collecting dead body of a prisoner and appropriate funeral home of any bloodborne communicable diseases of such prisoner. Amends TCA Title 41, Chapter 51. by *Ferguson.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1766** -- Health - Increases membership of advisory board on primary health care centers from 19 to 21 by adding two additional rural health program grantees. Amends TCA Title 68. by *Winningham.

House Bill No. 1767 -- Victims Rights - Makes expenses incurred by victim traveling to and from trial of defendant alleged to have committed compensable offense against such victim reimbursable under criminal injuries compensation fund. Amends TCA Title 29, Chapter 13; Title 39 and Title 40. by *Maddox.

House Bill No. 1768 -- Criminal Offenses - Deletes requirement that force be used against officer to commit offense of resisting stop, arrest or search; raises penalty to Class A misdemeanor if no force is used and Class E felony if force or weapon used to resist; makes "in person" harassment a violation of harassment offense. Amends TCA Title 39, Chapter 17, Part 3 and Title 39, Chapter 16, Part 6. by *Maddox.

House Bill No. 1769 -- Corporations - Removes limit of five assumed names that corporation may use. Amends TCA Title 48, Chapter 14. by *Curtiss.

House Bill No. 1770 -- Water - Limits right to file complaints about violations of Water Quality Control Act of 1977 by prohibiting complaint if person charged with violation is operating pursuant to permit. Amends TCA Section 69-3-118. by *Curtiss.

***House Bill No. 1771** -- Criminal Offenses - Makes certain changes relative to sentencing structure for drug offenses; makes certain changes in weapons law for drug offenders. Amends TCA Title 39 and Title 40. by *Curtiss.

House Bill No. 1772 -- Taxes, Business - Revises collection of delinquent business taxes. Amends TCA Section 67-4-719. by *Curtiss.

House Bill No. 1773 -- Utilities, Utility Districts - Upon approval by 2/3 vote of county legislative body of Sumner County and Hendersonville, requires election on question of whether board of commissioners of utility district located in Hendersonville to be appointed by city rather than as provided in present law. Amends TCA Section 7-82-307. by *Stamps.

House Bill No. 1774 -- General Assembly - Permits speaker of senate and speaker of house to administer oath of office to clerks, deputy clerks and doorkeepers. Amends TCA Title 3, Chapter 1, Part 1. by *Burchett.

House Bill No. 1775 -- DUI/DWI Offenses - Mandates issuance of special license plates for DUI offenders upon second or subsequent violations; creates offense for DUI offender driving vehicle without such special plates. Amends TCA Title 55, Chapters 4 and 10. by *Robinson.

***House Bill No. 1776** -- Municipal Government - Permits incorporation as mayor aldermanic municipality for area with 225 persons rather than 1,500. Amends TCA Section 6-1-201 and Section 6-1-202. by *Walley, *Naifeh, *Rhinehart.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1777 -- Education, Higher - Exempts most private degree-granting postsecondary educational institutions from making payments into tuition guaranty fund. Amends TCA Section 49-7-2018(d). by *Davidson.

***House Bill No. 1778** -- Tort Liability - Enacts "Amusement Operator Safety and Liability Act." Amends TCA Title 29, Chapter 34. by *Patton.

***House Bill No. 1779** -- Insurance, Health, Accident - Requires coverage of emergency treatment at nearest available emergency room. Amends TCA Title 56, Chapter 7. by *Patton.

House Bill No. 1780 -- DUI/DWI Offenses - Authorizes judge to sentence first time DUI offenders to remove litter from highways for 48 hours in lieu of 48 hours of incarceration. Amends TCA Title 55, Chapter 10, Part 4. by *Ridgeway.

House Bill No. 1781 -- Hospitals and Health Care Facilities - Allows any willing health care provider to provide services to any subscriber enrolled in MCO or TennCare or other managed care health insurance plan. Amends TCA Title 56 and Title 71. by *Odom.

House Bill No. 1782 -- Courts, Supreme Court of Tennessee - Creates Supreme Court Judge Election Matching Payment Campaign Fund. Amends TCA Title 17, Chapter 4, Part 1; Title 2, Chapter 8, Part 1; and Section 2-13-202. by *Odom.

House Bill No. 1783 -- Workers' Compensation - Makes removal of safety device or warning where person is injured or killed Class A misdemeanor. Amends TCA Title 39, Chapter 17, Part 1. by *Odom.

House Bill No. 1784 -- Commerce and Insurance, Dept. of - Permits election of commissioner. Amends TCA Title 2, Chapter 13, Part 202; Title 4, Chapter 3, Part 112, Title 4, Chapter 3, Part 13; and Title 8, Chapter 6, Part 1. by *Kernell.

House Bill No. 1785 -- Consumer Protection - Requires commissioner of commerce and insurance rather than division of consumer affairs to request attorney general to bring consumer protection actions; requires commissioner to confer with department counsel and staff of appropriate regulatory boards before requesting such assistance. Amends TCA Title 47 and Title 56. by *West, *Odom, *Jones, S..

House Bill No. 1786 -- Health - Enacts "Health Care Consumer Right-to-Know Act of 1997.". by *Jones, S..

***House Bill No. 1787** -- Health - Makes it offense to offer or agree to contract for professional health care services when such contract incorporates "most favored nations" clause. Amends TCA Title 47, Chapter 50. by *Rinks, *Odom, *Head, *Jones, S., *Eckles, *Turner (Hamilton), *Jackson, *Williams (Williamson), *Cross, *McMillan, *McDaniel, *Caldwell, *Patton, *Robinson, *McDonald.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1788** -- Employees, Employers - Defines 14 hours instead of 12 as "reasonable time" from date of cessation of employment, in which employee must withdraw from premises of employer, whether such severance is voluntary or due to discharge. Amends TCA Title 50, Chapter 1, Part 3. by *Odom.

House Bill No. 1789 -- Insurance, Health, Accident - Enacts "Patient Advocacy Act of 1997." Amends TCA Title 56; Title 63, Chapters 3, 5, 6, 8, 9, and 10, and Title 68, Chapter 11. by *Odom, *Eckles.

House Bill No. 1790 -- Criminal Offenses - Narrows exclusions from definition of "specified unlawful activity" for money laundering from all gambling offenses to exclude only gambling and gambling promotion. Amends TCA Title 39, Chapter 14. by *McDaniel.

House Bill No. 1791 -- Taxes, Real Property - Creates property tax exemption for certain assisted living facility for aged owned by not-for-profit organization whose residents are very low and low income persons. Amends TCA Title 67, Chapter 5, Part 2. by *McDonald.

***House Bill No. 1792** -- Funeral Directors and Embalmers - Permits prevailing party proving fraud in civil action relative to pre-need funeral contracts to receive treble damages, attorney fees, costs, and interest; requires yearly audits of persons that sell pre-need funeral contracts. Amends TCA Title 56, Chapter 34 and Title 62, Chapter 5, Part 4. by *Burchett.

House Bill No. 1793 -- Appropriations - Defrays expense of operating state government for fiscal year 1997-1998. by *McDaniel, *Kisber, *Stamps, *Davis R.

House Bill No. 1794 -- Bond Issues - Authorizes \$135.8 million bond issue to fund state projects. by *McDaniel, *Kisber, *Stamps, *Davis R.

***House Bill No. 1795** -- Workers' Compensation - Reschedules from June 30, 1994 to June 30, 1996 balance reference date for equivalent amount of workers' compensation premium surcharge proceeds set aside for state Occupational Safety and Health Act administration payable to general fund. Amends TCA Section 50-6-401(d). by *McDaniel, *Kisber, *Stamps, *Davis R.

***House Bill No. 1796** -- Budget Procedures - Directs transfer of \$1.6 million remaining in Health Access Incentive Account as of June 30, 1996, to general fund. Amends TCA Section 66-29-151(a). by *McDaniel, *Kisber, *Stamps, *Davis R.

House Bill No. 1797 -- TennCare - Requires state share of later enacted net increases in TennCare or Medicaid operating costs for one-time nonrecurring health related expenditures or revenue fluctuation reserves be appropriated from recurring revenues. Amends TCA Title 9, Chapter 6. by *McDaniel, *Stamps, *Davis R.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1798** -- Employment Security, Dept. of - Resets employer's unemployment insurance premium rates and rate calculations under certain circumstances; establishes standard industrial code section for "public administration" category. Amends TCA Section 50-7-402; Section 50-7-403(b)(3); Section 50-7-403(b)(1)(B); Section 50-7-403(b)(2); Section 50-7-403(e) and Section 50-7-403(g). by *Gunnels, *McDaniel, *Stamps, *Davis R.

***House Bill No. 1799** -- Unemployment Compensation - Subtracts claimant's weekly wages in excess of deductible allowance of \$30.00 from claimant's weekly unemployment benefits. Amends TCA Section 50-7-301(c)(1). by *Gunnels, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1800** -- Unemployment Compensation - Allows commissioner of employment security to assess employing unit for unemployment insurance premiums past due using prima facie correct determination based on information readily available to commissioner. Amends TCA Section 50-7-404(c)(2). by *Gunnels, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1801** -- Employment Security, Dept. of - Defines "included service" and "excluded service"; establishes food stamp overissuance deduction; requires employing unit to keep work records; sets out when such records confidential. Amends TCA 50-7-207(b)(7)(B); 50-7-207(c); Title 50, Chapter 7, Part 6, and 50-7-701(a)(1). by *Gunnels, *McDaniel, *Stamps, *Davis R.

House Bill No. 1802 -- Tort Liability - Authorizes recovery of damages for loss of consortium, love, companionship, society, services, support and guidance by wife, parent, or other statutory beneficiary in wrongful death actions. Amends TCA Sections 20-5-113 and 25-1-106. by *West.

***House Bill No. 1803** -- Surplus Property - Rewrites surplus property disposition procedures; increases certain monetary limits for fair market values, annual rentals and minimum bonding amounts regarding administration and disposition of state property. Amends TCA Section 4-15-102(f)(2); Section 12-4-201 and Title 12, Chapter 2. Repeals TCA Section 29-17-1203. by *McKee, *McDaniel, *Davis R.

***House Bill No. 1804** -- Tennessee Housing Development Agency - Increases from once to twice yearly minimum mandated frequency of evaluation of housing development agency assets fund. Amends TCA Title 13, Chapter 23. by *McDaniel, *Wood, *Stamps, *Davis R.

***House Bill No. 1805** -- Industrial Development - Directs annual TVA payments above 1996-1997 fiscal year amount, and up to \$5 million total, to support financing of Tennessee industrial infrastructure program (TIPP) in department of economic and community development. Amends TCA Section 67-9-101(a). by *McDaniel, *Kisber, *Stamps, *Davis R.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1806** -- Appropriations - Authorizes index of appropriations from state tax revenues for 1996-1997 fiscal year to exceed index of estimated growth in state's economy by \$20 million or 0.31 percent. Amends TCA Title 9, Chapter 6, Part 2. by *McDaniel, *Kisber, *Stamps, *Davis R.

***House Bill No. 1807** -- Appropriations - Authorizes index of appropriations from state tax revenues for 1997-1998 fiscal year to exceed index of estimated growth in state's economy by \$10 million or 0.15 percent. Amends TCA Title 9, Chapter 6, Part 2. by *McDaniel, *Kisber, *Stamps, *Davis R.

House Bill No. 1808 -- Securities - Defines "covered security" and "senior security"; sets out new conditions for security sales and investment advising; mandates notice filings for covered security sales. Amends TCA Title 48, Chapter 2, Part 1. by *McKee, *McDaniel, *Stamps, *Davis R.

House Bill No. 1809 -- Human Services, Dept. of - Reschedules deadline from October 1 to October 15 for commissioner to report to governor and general assembly regarding projected standard of need annual adjustments for temporary assistance program. Amends TCA Title 71. by *Halteman Harwel, *McDaniel, *Stamps, *Davis R.

House Bill No. 1810 -- Custody and Support - Allows governor to require, prior to requesting extradition of person owing duty of support from another state, district attorney general certify that obligee commenced action for support at least 30, rather than 60, days prior to request. Amends TCA Title 4; Title 7; Title 8; Title 16; Title 17; Title 18; Title 19; Title 20; Title 21; Title 22; Title 23; Title 24; Title 25; Title 26; Title 27; Title 28; Title 29; Title 34; Title 36; Title 37; Title 38; Title 39; Title 45; Title 47; Title 48; Title 49; Title 50; Title 55; Title 56; Title 57; Title 62; Title 63; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Halteman Harwell, *Walley, *McDaniel, *Stamps, *Davis R.

House Bill No. 1811 -- Culture - Enacts "Office of Film, Music & Multimedia Industries Act of 1997." Amends TCA Title 4, Chapter 3. by *Kent, *McDaniel, *Stamps, *Davis R.

***House Bill No. 1812** -- Interstate Compacts - Enacts "Interstate Contracting for Federal Programs Act." Amends TCA Title 12. by *Wood, *McDaniel, *Stamps, *Davis R.

House Bill No. 1813 -- Labor, Dept. of - Renames department of labor as department of labor and workforce development. Amends TCA Title 4; Title 8; Title 12; Title 13; Title 29; Title 36; Title 37; Title 38; Title 39; Title 41; Title 49; Title 50; Title 56; Title 59; Title 62; Title 67; Title 68 and Title 71. by *Wood, *McDaniel, *Stamps, *Davis R.

House Bill No. 1814 -- Taxes, Sales - Gives sales and use tax credit for building materials, machinery and equipment used in construction of qualified, new or expanded corporate headquarters located in state. Amends TCA Title 67, Chapter 6, Part 2. by *Kisber, *Kent, *McDaniel, *Stamps, *Davis R.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1815 -- Motor Vehicles, Tinting and Registration - Authorizes commissioner of safety to postpone issuance of new registration plates from January 1, 1995 to January 1, 2001. Amends TCA Section 55-4-103(i). by *Haley, *Pleasant, *McDaniel, *Stamps, *Davis R.

House Bill No. 1816 -- Business Organizations - Mandates that secretary of state strictly administer and enforce all statutes requiring limited liability companies to file documents, submit information or pay fees; doubles LLC annual fees. Amends TCA Section 48-247-101 and Section 48-247-103. by *Wood, *McDaniel, *Kisber, *Stamps, *Davis R.

House Bill No. 1817 -- Gas, Petroleum Products, Volatile Oils - Designates short title of TCA Title 67, Chapter 3, Part 1, as "Petroleum Products and Alternative Fuels Tax Law." Amends TCA Title 67, Chapter 3. by *Gunnels, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1818** -- Human Services, Dept. of - Replaces department of children's services with department of human services as licenser for child abuse agencies, child care institutions and similar entities. Amends TCA Title 4; Title 7; Title 8; Title 10; Title 16; Title 33; Title 34; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 66; Title 68 and Title 71. by *Walley, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1819** -- Hospitals and Health Care Facilities - Sets out guidelines for emergency response worker to request health evaluation of person who may have exposed worker to life-threatening disease. Amends TCA Title 68, Chapter 10, Part 1. by *Kent, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1820** -- Juvenile Offenders - Allows extradition of juvenile charged with any criminal act from any other state adopting this provision to Interstate Compact on Juveniles. Amends TCA Title 37, Chapter 4, Part 1. by *Roach, *Kent, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1821** -- Juvenile Offenders - Enacts "Violent Adolescent Act of 1997." Amends TCA Title 37 and Title 40. by *Walley, *Kent, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1822** -- Tennessee Bureau of Investigation - Establishes criminal intelligence unit in criminal investigation division. Amends TCA Title 38, Chapter 6. by *Westmoreland, *Kent, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1823** -- Juvenile Offenders - Enacts "Criminal Gang Activity Act of 1997." Amends TCA Title 37; Title 38, Chapter 6; and Title 39, Chapter 13. by *Kent, *McDaniel, *Davis R, *Stamps.

House Bill No. 1824 -- TennCare - Redefines "HMO" to include TennCare funded medical care providers. Amends TCA 56-32-202(6). by *Clabough, *McDaniel, *Davis R, *Stamps.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1825 -- Insurance, Health, Accident - Enacts "Tennessee Health Insurance Portability, Availability and Renewability Act." Amends TCA Title 56, Chapter 7. by *Clabough, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1826** -- Human Services, Dept. of - Authorizes commissioner to issue distress warrants to collect welfare overpayments due to fraud or otherwise after notice to repay or administrative hearing. Amends TCA Section 71-1-123. by *Boyer, *McDaniel, *Davis R, *Stamps.

***House Bill No. 1827** -- Health, Dept. of - Transfers functions, duties, responsibilities and authority of department of mental health and mental retardation to department of health. Amends TCA Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 53; Title 55; Title 56; Title 57; Title 63; Title 68 and Title 71. by *Walley, *McDaniel, *Stamps, *Davis R.

***House Bill No. 1828** -- Taxes, Sales - Restates public policy justification for commissioner of revenue's expenditures for sales and use taxes enforcement. Amends TCA Title 67, Chapter 6. by *McDaniel, *Stamps.

***House Bill No. 1829** -- Utilities, Utility Districts - Authorizes utility districts in Sullivan County to pay commissioners per diem for up to 12 meetings a year; up to \$250 for districts having 4,000 or more customers and \$150 if between 1,000 and 4,000. Amends TCA Section 7-82-308. by *Godsey.

House Bill No. 1830 -- Courts, Circuit - Creates eighth division of circuit court for Davidson County Amends TCA Section 16-2-506. by *Garrett.

House Bill No. 1831 -- Firearms and Ammunition - Decreases from 60 to ten days time for handgun permit holder to notify department of safety of change of address Amends TCA Title 39, Chapter 17, Part 13. by *Windle.

House Bill No. 1832 -- Pensions and Retirement Benefits - Authorizes state insurance committee to use state portion of premium for supplemental health insurance for retirees to cover programs that provide benefits in addition to Medicare Parts A and B, including prescription drugs. Amends TCA Title 8. by *Rinks.

House Bill No. 1833 -- Insurance Companies, Agents, Brokers - Removes authority of any agent or broker owned, controlled or employed by bank to negotiate credit life, credit accident and health and comprehensive physical damage insurance on vehicles. Amends TCA Title 56. by *Rinks.

House Bill No. 1834 -- Hazardous Materials - States that policy of state is to require state's approval before hazardous, radioactive or mixed wastes shipped to state for storage, treatment or disposal from federal facilities Amends TCA Title 68 and Title 69. by *Cross.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1835 -- Tennessee Wildlife Resources Agency - Expands director's authority on types of purchasable lands; allows use of 1986 wetlands acquisition fund in purchasing Scott's Gulf; mandates fund's use in certain reimbursements of cities and counties. Amends TCA Sections 11-14-401; 11-14-406 and 67-4-409(g). by *Cross, *Bittle, *Rhinehart.

House Bill No. 1836 -- Alcoholic Beverages - Revises residency requirements to obtain retail license for sale of alcoholic beverages. Amends TCA Section 57-3-204. by *Tindell, *Phelan, *West.

House Bill No. 1837 -- Water - Requires programs and procedures established by commissioner of environment and conservation to qualify state for emergency federal funding to meet criteria set out in standard department procedures. Amends TCA Title 69, Chapter 3. by *Phelan.

House Bill No. 1838 -- Commerce and Insurance, Dept. of - Allows commissioner to hire more than three actuaries. Amends TCA Title 56. by *Phelan.

House Bill No. 1839 -- Aged Persons - Establishes respite care program in Gibson County. by *Phelan.

House Bill No. 1840 -- Physicians and Surgeons - Requires information on doctors to be posted on Internet regarding disciplinary and malpractice claims experience. Amends TCA Title 56 and Title 63. by *Phelan.

***House Bill No. 1841** -- Aged Persons - Authorizes commission on aging to develop and implement respite care programs in each of nine planning and service areas. Amends TCA Title 71, Chapter 2. by *Phelan.

House Bill No. 1842 -- Taxes, Sales - Exempts commemorative memorabilia sold by bicentennial commission or Tennessee 200 from sales and use tax. Amends TCA Section 67-6-329. by *Davis R.

House Bill No. 1843 -- Penal and Reformatory Institutions - Creates offense for law enforcement or correctional officer to engage in sexual contact with prisoner or inmate; violation is Class A misdemeanor. Amends TCA Title 39 and Title 41. by *Davis R.

House Bill No. 1844 -- Tort Liability - Enacts "Personal Responsibility Act of 1997." Amends TCA Title 28, Chapter 3. by *Davis R.

***House Bill No. 1845** -- Mobile Homes and Manufactured Buildings - Increases from \$40.00 to \$45.00 fee for manufactured home dealers license. Amends TCA Title 68, Chapter 126. by *Lewis.

House Bill No. 1846 -- Taxes, Sales - Provides that appeal of commissioner's action in revoking or granting certificate for manufacturer's reduced rate may be appealed in chancery court of taxpayer's residence. Amends TCA Title 67, Chapter 6. by *Lewis.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1847** -- Real Property - Permits, in cases of sale of division, court to authorize sale managed by real estate agent, when parties agree to such sale, rather than standard judicial sale. Amends TCA Title 29, Chapter 27. by *Arriola.

House Bill No. 1848 -- Education - Permits nonresident elementary or secondary student to attend school where parent teaches. Amends TCA Title 49, Chapter 6, Part 31. by *Stulce, *Sharp.

***House Bill No. 1849** -- Law Enforcement - Increases from 15 to 40 percent, percentage of proceeds local seizing agency receives from sale of vehicles forfeited because of operation by person whose driver license suspended DUI; decreases from 85 to 60 percent, percentage of such proceeds going to the alcohol and drug addiction treatment fund. Amends TCA Title 40, Chapter 33 and Title 55. by *Curtiss.

***House Bill No. 1850** -- Criminal Procedure - Permits court to exclude all non-essential people from courtroom or use one-way glass between victim and defendant when alleged sex offense victim is testifying in defendant's criminal trial. Amends TCA Title 40, Chapter 17. by *Fowlkes.

***House Bill No. 1851** -- Municipal Government - Permits any city that allows nonresident property owners to vote in city elections to allow such voting by mail. Amends TCA Section 6-53-102. by *Newton.

***House Bill No. 1852** -- Criminal Offenses - Increases from \$10.00 to \$15.00 permit fee for sellers of handguns. Amends TCA Title 39, Chapter 17. by *Newton.

House Bill No. 1853 -- Education - Recognizes use of national teachers examination in Tennessee. Amends TCA Title 49, Chapter 5. by *Winningham.

***House Bill No. 1854** -- Historical Sites - Transfers administration of Cordell Hull birthplace from historical commission to department of environment and conservation; provides for personnel to manage such site. Amends TCA Title 4, Chapter 13, Part 6. by *Winningham.

***House Bill No. 1855** -- Sexual Offenses - Makes information on sex offender registry public; requires TBI to send monthly copy to each sheriff; requires released sexual offender to notify sheriff and school superintendent in county of anticipated residence of release and provide picture and notification of release in newspaper of general circulation in county of anticipated residence. Amends TCA Title 39; Title 40 and Title 41. by *Arriola.

House Bill No. 1856 -- Adoption - Increases period from 120 to 180 days for which biological mother may be reimbursed by adoptive parents. Amends TCA Title 36 and Title 37. by *Odom.

House Bill No. 1857 -- Workers' Compensation - Permits injured employees to choose from TennCare physicians in addition to employer selected physicians. Amends TCA Title 50, Chapter 6 and Title 71, Chapter 5. by *Odom.

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House Bill No. 1858 -- Boards and Commissions - Creates Tennessee acupuncture licensing board. Amends TCA Title 4, Chapter 29 and Title 63. by *Kernell.

House Bill No. 1859 -- Mental Illness - Creates office of monitoring and oversight in department of health to review and evaluate programs which provide services to persons with mental illness and mental retardation. Amends TCA Title 3; Title 4; Title 8; Title 12; Title 33; Title 36; Title 37; Title 39; Title 40; Title 41; Title 45; Title 49; Title 53; Title 55; Title 56; Title 57; Title 63; Title 68 and Title 71. by *Kernell.

House Bill No. 1860 -- Tort Liability - Expands definition of "person" in wrongful death actions with respect to a fetus by deleting present requirement that fetus has to be viable at time of injury. Amends TCA Section 20-5-106. by *Sharp, *Wood.

House Bill No. 1861 -- Taxes, Income - Provides for taxation of capital gains dividends at 3, rather than 6, percent. Amends TCA Title 67, Chapter 2. by *Beavers.

***House Bill No. 1862** -- Employees, Employers - Decreases from 12 to ten hours from date of cessation of employment amount of time given for employee to leave premises. Amends TCA Title 50. by *Beavers.

House Bill No. 1863 -- Highway Signs - "K. Thomas Hutchinson Water Treatment Plant," Sulphur Springs Road exit, I-840, Rutherford County. by *Eckles, *Hood, *Beavers.

House Bill No. 1864 -- Wilson County - Subject to local approval, establishes special court cost of \$10.00 for traffic regulation. by *Beavers, *Bone.

***House Bill No. 1865** -- Criminal Offenses - Increases penalty for offender who commits assault upon child under 16, provided that offender knew or reasonably should have known that child was under 16. Amends TCA Section 39-13-101. by *Brooks.

House Bill No. 1866 -- Children - Enacts "Prevention of Youth Access to Electronic Pagers Act of 1997." by *Brooks.

House Bill No. 1867 -- Juvenile Offenders - Creates statewide juvenile offender neighborhood network. Amends TCA Title 37; Title 40 and Title 41. by *Boner.

House Bill No. 1868 -- Juvenile Offenders - Creates statewide juvenile offender neighborhood network. Amends TCA Title 37; Title 40 and Title 41. by *Boner.

***House Bill No. 1869** -- Education, Higher - Establishes new higher education governing board. Amends TCA Title 49, Chapter 7. by *Davidson.

House Bill No. 1870 -- Penal and Reformatory Institutions - Prohibits location of correctional facility within five miles of public school. Amends TCA Title 41. by *Garrett.

***House Bill No. 1871** -- Highway Signs - Hiwassee College, I-75, Monroe County. by *Gunnels.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1872** -- Highway Signs - "Hiwassee College," I-75, Sweetwater exit, Monroe County. by *Gunnels.

House Bill No. 1873 -- Annexation - Prohibits finger or corridor style annexation. Amends TCA Title 6, Chapter 51, Part 1. by *Ritchie, *Burchett, *Boyer, *Dunn, *Bittle, *Kent.

House Bill No. 1874 -- Administrative Procedure - Authorizes government operations committees to suspend effectiveness of rules already in effect. Amends TCA Title 4, Chapter 5. by *Kernell.

***House Bill No. 1875** -- Criminal Procedure - Adds felony committed while on community-based alternative to incarceration to factor authorizing enhancement of defendant's sentence for felony committed while on bail, parole, probation or work release. Amends TCA Title 39; Title 40 and Title 41. by *Windle.

***House Bill No. 1876** -- TennCare - Requires that in contracts with MCOs to reimburse pharmacists for prescription drugs that base reimbursement formula be set to actual cost of prescription drugs rather than to average wholesale price. Amends TCA Title 56; Title 63 and Title 71. by *Goins.

***House Bill No. 1877** -- Teachers - Allows teacher to retire with 27 years of creditable service rather than 30. Amends TCA Title 8, Chapter 36. by *Goins.

House Bill No. 1878 -- Criminal Offenses - Creates Class A misdemeanor offense for employee to falsify or attempt to falsify drug test; creates Class E felony offense for person employed by covered employer or drug testing lab to falsify or attempt to falsify drug test; subjects company to fine. Amends TCA Title 50, Chapter 9, Part 1. by *Bird.

House Bill No. 1879 -- Cleveland - Subject to local approval, permits nonresidential property owners to vote by mail. Amends Chapter 307 of the Acts of 1903; as amended. by *Bird.

House Bill No. 1880 -- Environmental Preservation - Requires annual report from emitters of toxic substances on alternative technology available to reduce or eliminate emissions, cost-benefit analysis of such technology required. Amends TCA Title 68 and Title 69. by *Brown, *Brooks, *Kernell, *Jones U (Shelby), *Bowers, *Miller L, *Pruitt, *Jones, S., *DeBerry J, *Odom.

House Bill No. 1881 -- Medicaid and Medicare - Reduces from two months to one month time in which industrial life insurance company must settle claims after receipt of proof of death; removes bureau of medicaid's medical support unit representative from medicaid drug utilization review board. Amends TCA Title 56 and Title 71. by *Arriola.

House Bill No. 1882 -- Hospitals and Health Care Facilities - Deletes purpose from TCA Title 56, Chapter 29, relative to hospital and medical service corporations; deletes from Medicaid program specific language relative to location where physicians' services provided and instead provides for physicians services wherever furnished. Amends TCA Title 56 and Title 71, Chapter 5. by *Arriola.

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House Bill No. 1883 -- TennCare - Requires department to consult with and seek input from trade or professional associations of health care providers before contracting with TennCare managed care organizations; limits use of public necessity rulemaking for TennCare. Amends TCA Title 71. by *Kernell.

House Bill No. 1884 -- Mental Health and Mental Retardation, Dept. of - Requires department to pay mental health institutes sufficient funding to maintain staffing levels for continued accreditation Amends TCA Title 33; Title 56 and Title 68. by *Brown, *McAfee, *Turner (Hamilton), *Wood, *Stulce, *Sharp.

House Bill No. 1885 -- Solid Waste Disposal - Revises certain provisions in Solid Waste Management Act. Amends TCA Title 68, Chapter 211. by *Eckles.

***House Bill No. 1886** -- Salaries and Benefits - Authorizes judicial and legislative employees and employees of institutions of higher education to authorize automatic deductions for dues and premiums of employee associations Amends TCA Section 8-23-204. by *Kisber, *Walley.

***House Bill No. 1887** -- Public Contracts - Increases from ten to 12 years time during which person violating prohibition against having interest in contract over which such person lets or supervises is barred from office. Amends TCA Title 12, Chapter 4. by *Kisber, *Walley.

***House Bill No. 1888** -- Penal and Reformatory Institutions - Names correctional facility in Wayne County the "South Central Correctional Center." Amends TCA Title 4, Chapters 3 and 6 and Title 41. by *Kisber, *Walley.

***House Bill No. 1889** -- Divorce and Annulment - Requires that petition for divorce on contested grounds must be on file for 60 days (if no minor children) or 90 days (if minor children involved) before petition heard and that waiver of any part of proceeding does not shorten time period. Amends TCA Title 36, Chapter 4, Part 1. by *Winningham.

***House Bill No. 1890** -- Administrative Procedure - Authorizes government operations committees to suspend effectiveness of rules already in effect. Amends TCA Title 4, Chapter 5. by *Kernell.

***House Bill No. 1891** -- Education, Higher - Urges THEC and board of regents to provide adequate funding for agricultural research and extension programs at Tennessee State University. Amends TCA Title 49. by *Jones U (Shelby), *Langster, *DeBerry J, *Pruitt.

***House Bill No. 1892** -- Alcoholic Beverages - Requires each package store to display educational materials concerning drugs and alcohol and effect on ability to drive; intentional failure to display material is punishable as civil penalty of not less than \$500.00 nor more than \$1,000.00. Amends TCA Title 57, Chapter 3, Part 2. by *Miller L.

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House Bill No. 1893 -- Historical Sites - Requires Native American to be notified prior to excavation or treatment of site containing remains of Native Americans instead of giving Native American right to be present on site when excavation or treatment is taking place. Amends TCA Title 11, Chapter 6; Section 39-14-311; Section 39-14-312 and Title 46, Chapter 4. by *Turner (Shelby).

House Bill No. 1894 -- Taxes, Sales - Provides for taxation under the sales and use tax of direct-to-home satellite service. Amends TCA Title 67, Chapter 6, Parts 1 and 2 and Section 67-6-704. by *Turner (Shelby).

***House Bill No. 1895** -- Salaries and Benefits - Authorizes sick leave banks to grant more than 90 days of leave for extended illnesses, as defined by the board of trustees, and subject to donations of leave for that purpose. Amends TCA Title 8, Chapter 50, Part 9 and Title 49, Chapter 5, Part 8. by *Hargrove.

***House Bill No. 1896** -- Public Funds and Financing - Adds president of Tennessee County Trustee's Association to entities created to oversee and advise collateral pool board. Amends TCA Title 9, Chapter 4, Part 5. by *Ridgeway.

***House Bill No. 1897** -- Juvenile Offenders - Directs juvenile courts and department of environment and conservation to create environmental youth corps (a work program of state parks for juvenile offenders). Amends TCA Title 37; Title 39; Title 40 and Title 68. by *Ritchie.

House Bill No. 1898 -- Election Laws - Establishes criminal penalty for pattern of violation by PAC officers. Amends TCA Title 2, Chapter 10. by *Ritchie.

House Bill No. 1899 -- TennCare - Makes dislocated workers eligible for TennCare. Amends TCA Title 71. by *Rinks.

House Bill No. 1900 -- Budget Procedures - Requires various state departments to submit budget estimates by December 10 instead of December 1 each year. Amends TCA Title 9, Chapter 6, Part 1. by *Rinks.

House Bill No. 1901 -- Domestic Violence - Increases number of persons who may seek orders of protection in domestic abuse proceedings. Amends TCA Title 36, Chapter 3, Part 6. by *McMillan, *Halteman Harwell, *Turner (Hamilton), *DeBerry L., *Naifeh, *Kisber, *Hargrove.

House Bill No. 1902 -- Massage - Corrects typographical error in definition of "Massage/bodywork/somatic" contained in Chapter 480 of the Public Acts of 1995. Amends TCA Section 63-18-202(3). by *Chumney.

House Bill No. 1903 -- Pensions and Retirement Benefits - Makes state pension moneys, certain retirement funds or assets subject to claims of domestic courts. Amends TCA Title 8, Chapter 36 and Title 26, Chapter 2. by *Chumney.

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House Bill No. 1904 -- Taxes, Ad Valorem - Eliminates requirement that amount paid in lieu of taxes by hotel and motel lessees, ten years after completion of project on leased property, be not less than ad valorem taxes due on current market value of property. Amends TCA Title 7, Chapter 53, Part 3. by *Miller L.

***House Bill No. 1905** -- Courts - Extends judicial evaluation program to appellate judges seeking to serve remainder of unexpired term after September 1, 1997 Amends TCA Title 17, Chapter 4, Parts 1 and 2. by *Buck.

***House Bill No. 1906** -- Basic Education Program (BEP) - Allows use of portion of BEP non-class component capital outlay funds for funding of school bonds. Amends TCA Section 49-3-1005. by *Caldwell, *Cross.

***House Bill No. 1907** -- Hazardous Materials - Enacts "Superfund Sign Act of 1997.". by *DeBerry J, *Bowers, *Kernell.

***House Bill No. 1908** -- Education - Establishes requirements of proper behavior and respect for authority for admission to or retention in public schools; requires parent, guardian or person having control or charge of child to sign personal statement accepting responsibility for child's social skills and respect for authority. Amends TCA Title 49, Chapter 6, Part 30. by *DeBerry J, *Pruitt, *Bowers.

House Bill No. 1909 -- Children - Requires department of education to establish pilot program in six counties on cognitive development of children based on touching the lives of children program. Amends TCA Title 49. by *Head.

House Bill No. 1910 -- Sexual Offenses - Revises investigation and reporting requirements for statutory rape of minor. Amends TCA Title 37; Title 38 and Title 39. by *DeBerry J, *Pruitt, *Bowers.

House Bill No. 1911 -- Education, Higher - Provides children of full-time LEA employees with same 25 percent tuition discount as teachers. Amends TCA Title 49, Chapter 7. by *Bowers.

House Bill No. 1912 -- Industrial Development - Deletes requirement, concerning industrial development corporations, that amount payable in lieu of taxes by hotel and motel lessees ten years after completion of project on leased property shall be not less than ad valorem taxes otherwise due and payable on current fair market value of property. Amends TCA Title 7, Chapter 53, Part 3. by *DeBerry L, *Bowers.

House Bill No. 1913 -- Hospitals and Health Care Facilities - Provides that licensed home health agencies providing long-term care alternatives for special needs populations shall be granted certificates of need on state-wide basis. Amends TCA Title 68. by *DeBerry L, *Bowers.

House Bill No. 1914 -- Zoning - Permits continuing use or expansion under zoning ordinance in premier type tourist resort city Amends TCA Title 13 and Title 67. by *Givens.

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***House Bill No. 1915** -- County Officers - Establishes grant program for county officials to comply with certain reporting requirements Amends TCA Title 8; Title 16 and Title 17. by *Ritchie.

House Bill No. 1916 -- Drug and Alcohol Rehabilitation - Authorizes court and board of parolees to require as condition of probation, community correction or parole that offender with history of substance abuse obtain treatment from non-profit agency specializing in treatment of such female offenders Amends TCA Title 40. by *Langster, *Jones U (Shelby), *Brooks, *Pruitt, *Towns, *Cooper B, *Armstrong, *Turner (Hamilton), *DeBerry L, *DeBerry J.

House Bill No. 1917 -- County Officers - Permits county legislative body to increase salaries subject to availability of funds. Amends TCA Section 8-24-102(e). by *Sargent.

House Bill No. 1918 -- Insurance, Health, Accident - Prohibits "most favored nation" clauses in contracts with health care providers. by *Rhinehart.

House Bill No. 1919 -- Pensions and Retirement Benefits - Authorizes number of years during which certain employees participated in optional retirement program to be credited to TCRS for retirement eligibility purposes. Amends TCA Section 8-35-406(b). by *Brown.

House Bill No. 1920 -- Charitable Solicitations - Makes certain changes relative to charitable solicitations. Amends TCA Title 48, Chapter 101, Part 5. by *Kisber.

***House Bill No. 1921** -- Driver Licenses - Creates new restricted driver license requirements and conditions for individuals under 18 years of age Amends TCA Title 55, Chapter 50. by *Fitzhugh.

House Bill No. 1922 -- Religion and Religious Organizations - Enacts "Tennessee Student Religious Liberty Act of 1997." Amends TCA Title 49, Chapter 6, Part 10. by *Fitzhugh, *Maddox, *Pinion.

***House Bill No. 1923** -- Hospitals and Health Care Facilities - Enacts model act for sale or transfer of nonprofit corporation to for-profit/stock corporation or to mutual benefit corporation or entity; requires attorney general to review actions. by *Fitzhugh.

House Bill No. 1924 -- Election Laws - Prohibits commissioner and director of any department or agency from soliciting campaign contribution while in office for political candidate. by *Fitzhugh.

***House Bill No. 1925** -- County Government - Requires each county official to adopt certain personnel policies. Amends TCA Title 8. by *Curtiss.

House Bill No. 1926 -- Judges and Chancellors - Creates Division 7 of circuit court of 20th judicial district with judge for such court to be elected in August 1998. Amends TCA Section 16-2-506. by *Arriola.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

House Bill No. 1927 -- Davidson County - Subject to local approval, repeals private acts creating probate court effective September 1, 1998 - Repeals Chapter 124, Private Acts of 1963, as amended. by *Arriola.

House Bill No. 1928 -- Safety - Establishes grant program for occupational health and safety programs for trade associations to conduct for member organizations for drug-free workplace programs. Amends TCA. by *Arriola.

House Bill No. 1929 -- Insurance Companies, Agents, Brokers - Requires insurance providers to annually file report with commissioner of commerce and insurance detailing number of women who received mammograms during year, number which were negative and number requiring further medical treatment; commissioner to file annual report with governor and health and human resources committees of house and senate. Amends TCA Title 56; Title 63; Title 68 and Title 71. by *Chumney.

***House Bill No. 1930** -- Hospitals and Health Care Facilities - Requires commission on aging to create part time nursing/care ombudsmen positions for certain purposes; revises certain requirements relative to personnel and licensure; revises minimum fees for assessing civil penalties. Amends TCA Title 68. by *Chumney.

House Bill No. 1931 -- Domestic Violence - Changes definition of "abuse" in domestic abuse part of TCA to "domestic abuse"; changes words "abuse" and "spousal abuse" throughout that part to "domestic abuse." Amends TCA Title 10, Chapter 7; Title 36, Chapter 3, Part 6 and Title 38, Chapter 6. by *Chumney.

***House Bill No. 1932** -- Divorce and Annulment - Permits either party in divorce action to designate agent for service of process in lieu of using such party's mailing address; allows court to order such party to reveal residential address if necessary for other party to prove or defend allegations in complaint Amends TCA Title 36, Chapter 4. by *Chumney.

House Bill No. 1933 -- Parks, Natural Areas Preservation - Enacts "State Parks Management and Preservation Act of 1997." Amends TCA Title 11, Chapter 3. by *Burchett.

***House Bill No. 1934** -- County Officers - Establishes grant program for county officials to comply with certain reporting requirements. Amends TCA Title 8; Title 16; Title 17 and Title 38. by *Armstrong.

***House Bill No. 1935** -- Public Records - Permits district attorney to institute replevin action to recover public records that have been unlawfully removed Amends TCA Section 39-16-504. by *Phelan.

House Bill No. 1936 -- Health - Changes minimum baseline age mammograms from 35 to 30; increases notice period for formulary changes from 30 to 60 days Amends TCA Title 56 and Title 71. by *Eckles.

MONDAY, FEBRUARY 24, 1997 -- TENTH LEGISLATIVE DAY

***House Bill No. 1937** -- County Officers - Establishes grant program for county officials to comply with certain reporting requirements. Amends TCA Title 8; Title 16; Title 17 and Title 38. by *Ritchie.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove the House recessed until 2:00 p.m., Wednesday, February 26, 1997.